

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.11894 of 2025

ORDER:

This Criminal Petition is filed under Sections 480 and 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) by the petitioners/accused Nos.3 and 4 seeking bail in Crime No.72 of 2025 of Prohibition and Excise Station, Ghatkesar, registered for the offence punishable under Section 8(c) read with 20(b)(ii)(C) of the Narcotic Drugs And Psychotropic Substances, Act, 1985 (for short 'NDPS Act').

2. The case of the prosecution, in brief, is that on 19.05.2025, acting on reliable information, the complainant intercepted a vehicle and found accused Nos.1 to 5 in possession of 58.88 kilograms of dry ganja. Based on the same, the present crime was registered.

3. Heard Sri L. Sai Kumar Yadav, learned counsel for the petitioners, and Sri D. Arun Kumar, learned Additional Public Prosecutor appearing for the respondent-State.

4. Learned counsel for the petitioners submitted that the petitioners are innocent and has not committed the alleged

offence and that he was merely a passenger in the said vehicle and was unaware that the vehicle was being used to transport illicit substances and that the petitioners was neither the owner nor the driver of the vehicle. He further submitted that the petitioners were arrested on 19.05.2025 and has been in judicial custody since then and that the accused Nos.2 and 5 were enlarged on bail on 26.08.2025 and the entire investigation has been completed, except for the filing of the charge sheet and that the petitioners have no prior criminal antecedents. Therefore, prayed the Court to grant bail to the petitioners.

5. On the other hand, the learned Additional Public Prosecutor submitted that the petitioners have committed grave offences under the provisions of the NDPS Act. The investigation is still in progress, and Accused Nos. 6 and 7 are absconding and if the petitioners is released on bail at this stage, he may repeat the very same offence and also interfere with the investigation. Therefore, at this stage, the petitioners is not entitled for grant of bail.

6. Having considered the rival submissions made by the respective parties and after perusal of the material available

on record, it is contended by the learned counsel for the petitioners that the petitioners were falsely implicated in the present crime based on the confessional statement of the co-accused, and that the petitioners were merely a passenger in the said vehicle and had no knowledge of any illicit activity. The petitioners were arrested on 19.05.2025 and have been in judicial custody since then. Even as per the submission of the learned Additional Public Prosecutor, the petitioners are not involved in any similar offences and do not have any criminal antecedents.

7. Taking into consideration the above facts and circumstances of the case, this Court is inclined to grant bail in favour of the petitioners/accused Nos.3 and 4 subject to the following conditions:

- i. The petitioners/accused Nos.3 and 4 shall execute a personal bond for a sum of Rs.25,000/-(Rupees twenty five thousand only) each with two sureties for a like sum each to the satisfaction of the I Additional District and Sessions Judge, Medchal Malkajgiri District at Kushaiguda.

- ii. The petitioners/accused Nos.3 and 4 shall appear before the concerned SHO at 11:00 A.M. on every Monday for a period of four (4) weeks or till filing of charge sheet whichever is earlier, for the purpose of investigation and thereafter as and when required.
- iii. The petitioners/accused Nos.3 and 4 shall abide by the conditions stipulated in Section 483 (3) of BNSS.

8. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, pending if any, shall stand closed.

K. SUJANA, J

Date:23.09.2025
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Date: 23.09.2025

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