

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.13060 of 2025

ORDER:

Seeking the Court to enlarge the petitioner who are arrayed as accused No.3 in C.O.R. No.40 of 2025 of P.S. Excise Uppal, Medchal Malkajgiri District, registered for the offences punishable under Section 8(c) read with 20(b)(ii)(C) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act'), on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that on 12.05.2025, on reliable information, the police conducted raid at dilapidated building at HCL Mallapur and seized 109.34 kilograms of dry ganja in 56 bundles and two mobile phones from possession of accused. The accused were subsequently arrested, and a case was registered against them for the aforesaid offences.

3. Heard Sri P. Manoj, learned counsel appearing on behalf of the petitioner as well as Sri Arun Kumar Doddla, learned

Additional Public Prosecutor appearing on behalf of the respondent-State.

4. Learned counsel for the petitioner submitted that the petitioner is innocent and that the seized contraband is 109.34 kilograms of dry ganja, recovered from the possession of Accused. He further stated that the petitioner has been in judicial custody since 12.05.2025 and that there are no criminal antecedents against the petitioner, and that all the material witnesses have been examined, and that further detention of the petitioner is unnecessary, especially since no charge sheet has been filed by the Investigating Officer. Therefore, he prayed the Court to grant bail to the petitioner by allowing this criminal petition.

5. On the other hand, learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioner, stating that the seized contraband is of commercial quantity and that the investigation is not yet complete. Therefore, granting bail to the petitioner at this stage does not arise. Hence, he prayed that the Court dismiss the criminal petition.

6. Considering the submissions of both learned counsel and upon perusal of the material available on record, it is observed that the seized contraband is 109.34 kilograms of dry ganja, which was recovered from the possession of Accused Nos.1 to 3 and that the petitioner has been languishing in jail since 12.05.2025 i.e., nearly six months, and a substantial part of the investigation has been completed. As informed by the learned Additional Public Prosecutor, no charge sheet has been filed as of today, and there are no criminal antecedents against the petitioner. Therefore, this Court deems it fit to grant bail to the petitioner, subject to the following conditions:

- i. The petitioner shall execute a personal bond for a sum of Rs.15,000/- (Rupees Fifteen Thousand only), with two sureties for a like sum each to the satisfaction of the learned VI Judicial First Class Magistrate at L.B. Nagar.
- ii. The petitioner shall appear before the concerned SHO at 11:00 a.m., on every Monday for a period of eight (8) week or till filing of charge sheet whichever is earlier, for the purpose of

investigation, and thereafter, as and when required.

- iii. The petitioner shall abide by the conditions stipulated in Section 437(3) of Cr.P.C. (presently, Section 480(3) of the BNSS).

7. Accordingly, the Criminal petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 04.11.2025
SS

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