

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.13825 of 2025

ORDER:

This Criminal Petition is filed under Sections 480 and 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) by the petitioner/accused No.7 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 petitioner, and Sri D. Arun Kumar, learned Additional Public Prosecutor appearing for the respondent-State.

4. Learned counsel for the petitioner submitted that the petitioner is innocent and has not committed the alleged offence

and that the petitioner was arrested on 23.08.2025 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 petitioner has no prior criminal antecedents. Therefore, prayed the Court to grant bail to the petitioner.

5. On the other hand, the learned Additional Public Prosecutor submitted that the petitioner has committed grave offences under the provisions of the NDPS Act and the investigation is still in progress, and Accused No.6 is absconding and if the petitioner 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 petitioner 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 observed that the petitioner was arrested on 23.08.2025 and has been in judicial custody since then and as per the submission of the learned Additional Public Prosecutor, the petitioner is not involved in any similar offences and do not have any criminal antecedents and no charge sheet is filed till date. Taking into consideration the above facts and circumstances of the

case, this Court is inclined to grant bail in favour of the petitioner subject to the following conditions:

- i. The petitioner shall execute a personal bond for a sum of Rs.25,000/-(Rupees twenty five thousand only) 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 petitioner 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 petitioner shall abide by the conditions stipulated in Section 483 (3) of BNSS.

7. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, pending if any, shall stand closed.

K. SUJANA, J

Date: 31.10.2025
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