

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.14259 OF 2025

This criminal petition is filed under Section 480 & 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner/A.2 seeking his enlargement on bail in connection with C.O.R.No.53 of 2025 of Hayathnagar Excise Police Station, Ranga Reddy District. The offences alleged against the petitioner are under Section 8(C) r/w.20 (b)(ii) (B) of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act').

2. The case of the prosecution is that on 04.06.2025 the Prohibition & Excise Inspector, Ranga Reddy Zone conducted raid at Delhivery Delhivery Limited, Autonagar, Hayathnagar where they seized two carton boxes containing Alprazolam tablets weighing about 17.91 kgs and the police apprehended the petitioner along with A.1 and remanded to judicial custody and registered the case against the accused for the above offences.

3. Heard Sri P. Vikas Raj, learned counsel for the petitioner and Sri D. Arun Kumar, learned Additional Public Prosecutor appearing for the respondent-State.

4. The contention of learned counsel for the petitioner is that petitioner is innocent of the alleged offences and he is falsely implicated in this case. There are no specific allegations against the petitioner attributing possession, sale or transportation of the seized contraband. The petitioner is in jail from 04.06.2025 and this is the third bail application. He further submitted that material part of investigation is almost completed and the seized contraband is not a prohibited narcotic powder and permitted for pharmaceutical use under the Drugs and Cosmetics Act. He further submitted that mere possession or transportation of such tablets without any evidence of illegal sale, distribution for illicit use, does not attract the provisions of NDPS Act. Further, the mother of petitioner is aged about 90 years and is bedridden and there is no one to look after her. However, in another case pertaining to similar offence, the petitioner was granted bail and released and immediately he is implicated in this case. Hence, prayed this Court to grant regular bail to the petitioner.

5. On the other hand, learned Additional Public Prosecutor opposed bail on the ground that the quantity involved in this case is huge commercial quantity. Petitioner is also involved in another crime and in view of rigor of Section 37 of NDPS Act, petitioner is not entitled for bail and requested this Court to dismiss this petition.

6. Having regard to the submissions made and the material placed on record, it is seen that petitioner is in jail for more than four and half months and till today charge sheet is not filed. Considering the period of incarceration of petitioner in jail and the facts and circumstances, this Court deems it fit to grant bail to the petitioner subject to the following conditions:

i. The petitioner/A.2 shall execute a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only), with sureties for a like sum each to the satisfaction of 1-Additional District & Sessions Judge, Ranga Reddy District at L.B.Nagar, Hyderabad.

ii. The petitioner/A.2 shall appear before the concerned SHO at 11:00 a.m., on every Wednesday for a period of eight (8) weeks, for the purpose of investigation and thereafter, as and when required.

iii. The petitioner/A.2 shall abide by the conditions stipulated in Section 483(2) of BNSS.

7. Accordingly, the Criminal Petition is allowed.

Miscellaneous petitions, if any, pending shall stand closed.

K. SUJANA, J

Date :20.11.2025
Rds

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