

THE HON'BLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION NO.16452 OF 2024

ORDER :

This criminal petition is filed by petitioner Nos.1 and 2/A.2 and A.4 in connection with COR.No.110 of 2024 of Prohibition & Excise Station, Hayathnagar, Ranga Reddy District. The offences alleged against the petitioners are under Sections 8 (C) r/w.20 (b) (ii) (C) of Narcotic Drugs and Psychotropic Substances Act, 1985.

2. The facts of the case are that on 13.09.2024 at about 7.00 p.m., the Inspector of Police, STF, TG, Hyderabad and Prohibition and Excise Sub Inspector, SHO Hayathnagar, Ranga Reddy District along with staff on reliable information regarding illegal possession and transport of dry ganja near ORR Peddamberpet, seized the dry ganja and Hyundai Verna Car bearing No.MH 42 AH 3751, Mahindra Bolero pickup van bearing No.OD 10U 5453 along with mobile phones from the possession of accused Nos.1 to 8 under the cover of panchanama. Hence, a case was registered against the accused for the above offences.

3. Heard Sri S. Chandrashekhar Yadav, learned counsel for the petitioners and learned Additional Public Prosecutor for the respondent-State.

4. The contention of learned counsel for the petitioners is that petitioners are falsely implicated in this case by the police for their statistical data. The contraband was not recovered from the possession of these petitioners, but it was seized from A.1, 7 and 8. The petitioners were arrested on 13.09.2024 and since then they are in judicial custody. The entire investigation in this case is already completed and the other accused in this case are already enlarged on bail. Hence, prayed this Court to enlarge the petitioners on bail.

5. On the other hand, the learned Additional Public Prosecutor would submit that the offences alleged against the petitioners are severe in nature and the contraband seized from the accused is commercial quantity. Hence, prayed to dismiss this petition.

6. Having regard to the submissions made and the material on record, the petitioners are in jail from 13.09.2024 and the other accused in this case are already enlarged on bail. Though,

learned Additional Public Prosecutor stated that the ganja seized is a commercial quantity, considering the custody of petitioners in jail, this Court deems it fit to grant bail to the petitioners subject to the following conditions :

- i. The petitioners 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 learned V-Metropolitan Magistrate at Prohibition of Excise Court, L.B.Nagar, Ranga Reddy District.
- ii. The petitioners shall appear before the concerned SHO at 11:00 a.m., on every Monday for a period of eight (8) weeks, for the purpose of investigation, and thereafter, as and when required.
- iii. The petitioners shall abide by the conditions stipulated in Section 482 (2) of BNSS (previously known as Section 437(3) of Cr.P.C.).

7. Accordingly, the Criminal Petition is allowed.
Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date :09.01.2025
Rds

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