

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.13270 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.2 seeking bail in Crime No.171 of 2025 of Yellandu Police Station, Bhadravadi Kothagudem District 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 brief facts of the case are that, on 05.05.2025, the complainant received credible information regarding the illegal transportation of ganja. Acting on this information, the complainant conducted a raid, intercepted a vehicle, and found accused Nos.1 and 2 in possession of 111.754 kilograms of ganja. Upon inquiry, they revealed that they were transporting the contraband from accused Nos. 3 and 4 to accused No. 5. Accused Nos.1 and 2 were arrested, and a case was registered against them.

3. Heard Ms. Swathi Sharma, learned counsel appearing on behalf of the petitioner as well as Smt. Shalini Saxena, learned Assistant Public Prosecutor appearing for respondent - State.

4. Learned counsel for the petitioner submitted that the allegations leveled against the petitioner are false and that the petitioner has been falsely implicated in the present crime for statistical purposes. The petitioner was neither present in the auto nor in possession of any contraband and the only allegation against the petitioner, is that he escorted the alleged vehicle. She further submitted that the police did not follow due process, no material evidence was seized from the petitioner, and the petitioner was arrested on 05.05.2025 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, she prayed the Court to grant bail to the petitioner by allowing this criminal petition.

5. On the other hand, the learned Assistant Public Prosecutor opposed the submissions made by the learned counsel for the petitioner, stating that the alleged contraband

involved in this case amounts to 111.754 kilograms of dry ganja, which constitutes a huge commercial quantity. She further submitted that the investigation is in progress and if the petitioner is released on bail, at this stage, he may tamper with the evidence and may threaten the witnesses. Hence, she prayed the Court to dismiss the criminal petition.

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 05.05.2025 and have been in judicial custody since then and as per the submission of the learned Assistant 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 Sessions Judge at Kothagudem.

- 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.

8. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, pending if any, shall stand closed.

K. SUJANA, J

Date: 25.10.2025
SS

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