

HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.11522 of 2015

ORDER:

This criminal petition is filed by the petitioner – Accused No.4 under Section 438 of Criminal Procedure Code seeking to grant bail in Crime No.83 of 2015 on the file of Nathavaram Police Station, Visahkapatnam, for the offences under Sections 20(b) and 25 of the NDPS Act.

Heard and perused the material available on record.

The allegations against the petitioner are that he is doing business in illegal transportation of ganja and on the date of occurrence when the police conducted vehicle checking at Gandhinagaram, they found the petitioner and the other accused in possession of 60 kgs., of ganja, transporting in a car, and when the police tried to apprehend them, the petitioner escaped from the place of occurrence.

Learned counsel for the petitioner submitted that the petitioner is no way concerned with the offences alleged against him and only on the basis of the confession of the other accused, he was shown as accused and he was not arrested at the place of occurrence.

Learned Public Prosecutor submitted that the other accused informed that as per the advice of the petitioner only, they entered into ganja business and are doing the same along with the petitioner.

Considering the above facts and circumstances of the case, this court is not inclined to grant anticipatory bail to the petitioner at this stage.

Accordingly, the Criminal Petition is dismissed.

RAJA ELANGO, J

November 16, 2015.

KTL

