

THE HON'BLE SRI JUSTICE M.S.K. JAISWAL

Criminal Petition No. 7788 of 2015

ORDER

This criminal petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by the petitioner/A1 in Crime No.70 of 2015 of Pedakurapadu Police Station, Guntur District, registered for the offences punishable under Section 8 and 20(b) of NDPS Act, 1985.

2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State and perused the material on record.

3. The allegations, in brief, are that A2 to A4 were apprehended by the police and on interrogation, they confessed that they have purchased 8 packets each of ganja from A1 for the purpose of selling the same at higher rate. Hence, the case was registered against the petitioner/A1 and other accused.

4. The contention of the petitioner/A1 is that A2 to A4 were arrested and remanded to judicial custody and also granted bail by the lower Court. His further contention is that a false case has been foisted against the petitioner at the instance of the other accused.

5. Considering the facts and circumstances of the case, it cannot be said that a false case has been foisted against the petitioner/A1 and it is not a fit case for exercising the extraordinary jurisdiction of this Court under Section 438 Cr.P.C, to grant anticipatory bail.

6. Hence, the Criminal Petition is dismissed.

M.S.K. JAISWAL, J.

12th August, 2015

sj