

THE HON'BLE SRI JUSTICE M.S.RAMACHANDRA RAO

CRIMINAL PETITION No. 2351 of 2015

ORDER :

Petitioner, who is accused No.2 in F.I.R.No.129 of 2014 of Kotananduru Police Station, has filed this application under Sections 437 & 439 Cr.P.C. to grant bail in regard to offences under Section 8(c) r/w Section 20(b)(ii)(c) of N.D.P.S. Act.

The case against the petitioner is that he is the driver of a lorry in which 25 bags of ganja were found. Petitioner's contention is that he had no knowledge about the presence of ganja in the lorry. The said lorry appears to have been stopped on the early hours on 09.11.2014, when it was being driven by the petitioner for a check. It is alleged that the petitioner, after stopping the lorry, ran away leaving the lorry and on verification of the stocks, 600 kgs. of ganja was found in 25 packed gunny bags.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor.

Learned Additional Public Prosecutor contended that prima facie case is made out against the petitioner and that it is not a fit case to grant bail. He also stated that investigation is not complete.

Having regard to the fact that investigation is not yet been completed by the police and there appears to be prima facie material against the petitioner, I am not inclined to grant bail to the petitioner.

Therefore, the Criminal Petition is dismissed.

JUSTICE M.S.RAMACHANDRA RAO

27th March, 2015

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