

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

CRL.P.No.7462 of 2015

ORDER:

This is an application filed under Sections 437 and 439 Cr.P.C. for bail by the petitioners-A1 and A2 in Crime No.40 of 2015 of II Town CCS. Kakinada, East Godavari District, registered for the offences punishable under Sections 8 (c), 20 (b) and 2 (b) of N.D.P.S. Act, 1985.

The case of the prosecution, in brief, is that on 17.05.2015 at about 1.00 P.M. near three road junction at Kakinada, while the police officials conducting vehicle checking, the petitioners were found in possession of 20 K.Gs of Ganja worth Rs.20,000/-.

Learned Counsel for the petitioners submitted that the petitioners were falsely implicated in the alleged crime and they are in no way connected with the offences as alleged by the prosecution and that they are in judicial custody since 18.05.2015.

Learned Public Prosecutor appearing for the State submitted that the petitioners are habitual offenders and they have been involved in six other crimes at various places viz., Kakinada, Vishakhapatnam, Vijayanagaram and Peddapuram. He further submitted that the petitioners-accused are native of Patapukur village, Jaipalguri District, West Bengal State, and that there is no permanent ostensible livelihood for them except thefts and illegal transportation of Ganja.

Having regard to the aforesaid facts and circumstances of the case and also in view of the fact that the investigation is not yet completed, it is not a fit case to grant bail to the petitioners-A1 and A2 at this stage.

Accordingly, the Criminal Petition is dismissed.

M.S.K.JAISWAL, J

07-08-2015

Gsn