

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL PETITION No.10776 of 2016

ORDER:

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The petitioners, who are A1 and A2, in Crime No.1 of 2016 of V.Madugula Police Station, Visakhapatnam, filed the present application under Sections 437 and 439 of the Code of the Criminal Procedure (Cr.P.C.), seeking enlargement on bail in the above Crime, registered for an offence punishable under Section 20 (b) (1) read with Section 8(C) of NDPS Act.

The case of the prosecution is that on 04.01.2016, on receipt of credible information about illegal transportation of ganja, the police personnel along with the mediators rushed towards Ghat road junction, found one Eicher van bearing No.TN 28 AL 3348 under suspicious circumstances. On conducting vehicle check, the police officials found the accused in possession of 300 Kgs. of ganja and accordingly the contraband was seized under a cover of panchanama in the presence of mediators. Basing on the said seizure, the present case came to be registered.

Heard learned counsel for the petitioners, learned Public Prosecutor and perused the material on record.

Learned counsel for the petitioners submits that except the allegation of transporting ganja, there are no specific allegations against the petitioners in connection with cultivation or selling of ganja.

Learned public prosecutor opposed the application contending that the quantity of ganja seized is a commercial

quantity, the petitioners are not entitled for bail.

Having regard to the fact that the quantity of ganja seized is a commercial quantity, the request of the petitioners for grant of bail cannot be accepted. However, the petitioners, if so advised, shall move an application for grant of bail before appropriate Court, after giving prior notice to the Public Prosecutor, in which event the same shall be dealt with, as early as possible, in accordance with law.

Accordingly, the Criminal Petition is disposed of.

C. PRAVEEN KUMAR, J

29.07.2016

vhb

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