

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL PETITION NO.3362 of 2016

ORDER :

The petitioners, who are accused Nos.1 and 2 in Crime No.27 of 2015 of A.Annavaram Police Station, Visakhapatnam District, filed the present application under Sections 437 and 439 Cr.P.C. seeking enlargement on bail in the above crime, which was registered for the offence punishable under Section 20(b) of NDPS Act.

The case of the prosecution in brief is that on 23-12-2015, A.Annavaram Police while conducting vehicle check, basing on the information received about the illegal transportation of ganja, found the accused coming on a Bolero Van bearing No.AP 31 TF 0728 and found the petitioners/accused in possession of 50 kgs of ganja.

The learned counsel for petitioners submits that allegations made against the petitioners are all false and invented to implicate him in this case due to personal rivalry. Hence, the petitioners seek bail.

The learned Public Prosecutor opposed the application on the ground that the ganja seized from the petitioners is commercial quantity.

A perusal of the material placed on records would show that even earlier the petitioner has filed Criminal Petition No.1524 of 2016 before this Court, which was dismissed as withdrawn on 16-02-2016. Further, the ganja seized from the petitioners is commercial quantity. Since investigation is also still pending and having regard to the nature of offence committed, I am not inclined to grant bail to the petitioners.

Accordingly, the Criminal petition is dismissed with a liberty to avail the remedies available, if any, at appropriate stage.

JUSTICE C. PRAVEEN KUMAR

23.03.2016

skmr