

HONOURABLE SRI JUSTICE SURESH KUMAR KAIT

CRIMINAL PETITION No. 16276 of 2016

ORDER:

Vide present Criminal Petition, the petitioners/Accused Nos. 2 and 3 seek bail in NDPS Crime No.101 of 2016 registered on the file of Station House Officer, Police Station, Narsipatnam, pending trial on the file of learned Metropolitan Sessions Judge-cum-Special Judge for trial of offences under NDPS Act.

Heard learned Counsel appearing on behalf of the petitioners/Accused Nos. 2 and 3 and learned Additional Public Prosecutor appearing on behalf of the respondent-State. Perused the material on record.

In view of seizure of 156 Kgs of ganja from the possession of the petitioners/Accused Nos. 2 and 3, which is a commercial quantity and thereby Section 37 of the NDPS Act comes into play, I am not inclined to grant bail.

Moreover, on the issue raised by learned Counsel for the petitioners regarding non compliance of Sections 42 and 50 of the NDPS Act, this Court vide order dated 27.10.2016 passed in Criminal Petition Nos. 14971 of 2016 and Batch, gave its opinion in detail and therefore I am not inclined to go into the same once again and reiterate herein.

The Criminal Petition is dismissed.

Miscellaneous petitions pending consideration if any in the Criminal Petition shall stand closed in consequence.

JUSTICE SURESH KUMAR KAIT

DATED 13th December, 2016.
Msnr_x

