

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL PETITION No.2723 OF 2016

ORDER:

Heard the learned counsel for the petitioners and the learned Public Prosecutor.

2. The present Criminal Petition came to be filed under Sections 437 and 439 of the Code of Criminal Procedure, 1973, by the petitioners seeking enlargement on bail in Crime No.297 of 2015-16 of Narsipatnam Prohibition and Excise Station, registered for the offence punishable under Section 8(c) read with 20(b)(ii)(c) of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, 'NDPS Act').

3. The case of the prosecution is that the while the Prohibition and Excise Sub-Inspector, Narsipatnam, under the supervision of Narsipatnam Prohibition and Excise Inspector were conducting route watch, found the petitioners in possession of 138 Kgs., of Ganja. On interrogation, they confessed the commission of offence. Basing on these allegations, the present case came to be registered.

4. Earlier, this Court by its order dated 10.12.2015 rejected the bail application in Criminal Petition No.12503 of 2015 holding that the petitioners were found in possession of commercial quantity of Ganja.

5. In view of the orders passed by this Court holding that the quantity seized is commercial quantity; there being no changed circumstances either on fact or in law from the date of dismissal of

the earlier bail application, and as the Court is not satisfied that there are reasonable grounds for believing that the petitioners were not guilty of such offence and that they are not likely to commit any offence while on bail, the request of the petitioners cannot be considered.

6. Accordingly, the Criminal Petition is dismissed.

JUSTICE C. PRAVEEN KUMAR

Date:08.03.2016

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