

THE HON'BLE SRI JUSTICE U. DURGA PRASAD RAO
CRIMINAL PETITION No.7281 OF 2016

ORDER:

The petitioners - A1 to A3 filed the instant petition under Sections 437 and 439 Cr.P.C. seeking to grant bail.

In Crime No.17 of 2016 of Prohibition and Excise, Paderu Police Station, Visakhapatnam, the petitioners are allegedly committed offence under Section 8 (c) read with 20 (b) (ii) (c) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, 'the Act'), for transporting contraband ganja of 60 Kgs. They were arrested on 07.04.2016 and contraband ganja was seized. Hence, the instant bail application.

Heard.

Learned counsel for the petitioners while denying the charges submitted that the petitioners are innocent and have been in custody since 07.04.2016 and A2 and A3 are women and considering these aspects, bail may be granted to them.

Learned Public Prosecutor opposed the bail application and submitted that contraband seized is 60 Kgs., which is a commercial quantity and investigation is pending and as the accused belong to Patna and Thane Districts, it is difficult to secure their presence for further investigation and trial. On these submissions, he sought to dismiss the bail petition.

A perusal of the remand report would show that the contraband ganja of 60 Kgs. was seized while it was

being transported in a TATA Safari Car bearing
registration

No.PB-11-AG-4379.

Having regard to the fact that the contraband
seized was a commercial quantity and in view of
submission of learned Public Prosecutor that the
petitioners belong to different States and it would be
difficult to secure their presence for the purpose of
investigation and trial if bail is granted, it is not a fit
case to grant bail.

Accordingly, the petition is dismissed.

U. DURGA PRASAD RAO, J

May 19, 2016
MD/KH