

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL PETITION No.11086 of 2016

ORDER:

The petitioners, who are A.5 to A.7, in crime No.17 of 2016 of Mothugudem Police Station, East Godavari District, filed the present application under Sections 437 and 439 Cr.P.C. seeking enlargement on bail in the above crime, registered for the offences punishable under Section 8 (c) r/w.20 (b) (ii) (c) of NDPS Act.

The case of the prosecution is that on 20.05.2016 on receipt of credible information about transportation of ganja, the Inspector of Police along with mediator and staff proceeded to 'Y' junction, Polluru Village and noticed an Eicher van stopped near to the center. On seeing the police, three persons i.e. A.5 to A.7 got down from the van and tried to escape. Police are alleged to have caught hold of them and on search found 1000 kgs of ganja kept in 33 gunny bags. Police arrested the petitioners and remanded them to judicial custody. Hence, the case.

Heard the learned counsel for the petitioners as well as the learned Public Prosecutor.

Learned counsel for the petitioners submits that the petitioners are innocent of the offence and they have nothing to do with the offence. According to him, petitioners were only traveling in the vehicle and are not aware about the presence of ganja in the vehicle. He further submits that petitioner No.2, who is the owner of the crime vehicle, gave the vehicle on lease to A.1. Hence, requested for grant of bail. The same is opposed by the learned Public Prosecutor.

It is to be noted that a huge quantity of ganja was seized from the vehicle in which the petitioners were

traveling. At this stage, the contention of the petitioners' counsel that the petitioners are not aware about the presence of ganja in the vehicle cannot be accepted. In the absence of any reasonable explanation as to possession of ganja in the vehicle, I am not inclined to grant bail to the petitioners.

Accordingly, the Criminal Petition is dismissed.

**JUSTICE C.
PRAVEEN KUMAR**

03.08.2016
sur