

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL PETITION No.10021 of 2016

ORDER:

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The petitioner, who is A4, filed the present application under Sections 437 and 439 of the Code of the Criminal Procedure (Cr.P.C.), seeking enlargement on bail in Crime No.104 of 2016 of Godavarikhani I Town Police Station, Karimnagar District, registered for an offence punishable under Section 20 (b) of NDPS Act.

The case of the prosecution is that on 12.04.2016 at about 06.40 a.m., while the inspector of police (LW11) was conducting patrolling along with his staff, found seven persons in possession of bags at Godavarikhani Bus stand. Suspecting foul play, the police apprehended the six persons, while one person escaped leaving his bag. On search, the police found the accused in possession of Ganja. Further, A1 and A3 to A7 confessed about the offence and accordingly the contraband was seized under a cover of panchanama in the presence of mediators. Basing on the said confession and seizure, the present case came to be registered.

Heard learned counsel for the petitioner, learned Public Prosecutor and perused the material on record.

A perusal of the remand case diary placed before the Court would show that as on the date of incident while LW11 was conducting inquest he apprehended six persons who were found in possession of Ganja. Insofar as the petitioner is concerned, he is said to be in possession of 30 Kgs. of Ganja, which is a

commercial quantity. Earlier, the petitioner moved this Court vide CrI.P.No.7787 of 2016, which was dismissed on 14.06.2016 on the ground that the seized quantity is commercial quantity.

In view of the above and since a *prima facie* case is made out against the petitioner, his request for grant of bail is rejected.

Accordingly, the Criminal Petition is dismissed.

C. PRAVEEN KUMAR, J

19.07.2016

vhb

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