

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL PETITION No.2816 OF 2016

ORDER:

Heard the learned counsel for the petitioner 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 petitioner/A.1 seeking enlargement on bail in Crime No.45 of 2015 of Y.Ramavaram Police Station, East Godavari District, registered for the offence punishable under Section 8(c) read with 20(b)(ii) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, 'NDPS Act').

3. The case of the prosecution is that on 14.12.2015 at about 7:00 A.M., the Inspector of Police, Addateegala Circle, after securing the mediators and police personnel proceeded to Y.Ramavaram Village centre and noticed the petitioner along with other accused coming on two motorcycles. On seeing the police, they tried to abscond. On suspicion, the police searched the petitioner and other accused and found that they were in possession of 65 Kgs., of Ganja. After complying the statutory provisions, the contraband was seized under a cover of panchanama, arrested the accused and remanded them to judicial custody.

4. On 17.02.2016 this Court while granting bail to A.2, rejected the request of A.1. Immediately thereafter, i.e., on 29.02.2016 the present application has been filed seeking bail. In the absence of any change in circumstances either on fact or in law; since the

quantity of Ganja seized is commercial quantity and as the circumstances of the case show that the petitioner is not guilty of the offences alleged, I am not inclined to grant bail to the petitioner.

5. Accordingly, the Criminal Petition is dismissed.

JUSTICE C. PRAVEEN KUMAR

Date:08.03.2016
INL