

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH

[Special Original Jurisdiction]

THURSDAY THE FIFTEENTH DAY OF DECEMBER
TWO THOUSAND AND SIXTEEN

PRESENT

HONOURABLE SRI JUSTICE SURESH KUMAR KAIT

CRIMINAL PETITION NO. 16425 OF 2016

Between:

Bhukya Lalu

...

Petitioner/A-3

V/s.

The State of Andhra Pradesh
Represented by its Public Prosecutor [AP]
High Court of Judicature for the State
of Telangana & Andhra Pradesh,
Hyderabad.

...

Respondent

Through the Station House Officer,
Donkarai Police Station,
East Godavari district.

Counsel for the Petitioner : Sri Chandrasekhar Ilapakurti

Counsel for the Respondent : Public Prosecutor [AP]

The court made the following: [order follows]

HONOURABLE SRI JUSTICE SURESH KUMAR KAIT

CRIMINAL PETITION NO. 16425 OF 2016

ORDER :

This Criminal Petition is filed by the petitioner/A-3 under section 437 and 439 of Cr.P.C., seeking to enlarge him on bail in Crime No. 10 of 2016 of Donkarai Police Station, East Godavari district, registered for the offences punishable under section 8 [c] read with section 20 [b] [ii] [c] of Narcotic Drugs and Psychotropic Substances Act, 1985.

2. Sri Chandra sekhar, learned counsel for the petitioner submits that as per remand report and confessional statement of the petitioner, the petitioner along with A-4 purchased 120 Kgs of ganja @ Rs.1500/- per Kg and thereafter while transporting the same the Police intercepted and seized the contraband, arrested the petitioner and sent him to judicial custody.

3. He submits that the petitioner has no role in transportation of ganja and he was implicated only on confessional statement which is inadmissible in evidence.

Whereas A-4 states that on 07/8/2016 the petitioner came to him and asked him about 120 Kgs of ganja. Thereafter, the petitioner and A-4 went to Kurmanoor of Oddisha State. There from an unknown person purchased 120 Kgs of ganja totalling Rs.1,80,000/-.

4. Learned counsel for the petitioner submits that as per the confessional statement of the petitioner, Venkanna A-5 came to Dinash, who is not an accused in the present case and purchased 100 Kgs of ganja and handed over the same at Dornakal.

5. Keeping in view of the huge quantity of ganja of 120 Kgs which was seized from the petitioner, Section 37 of Narcotic Drugs and Psychotropic Substances Act, 1985 comes

into play. Hence, I am not inclined to grant bail to the petitioner.

6. The Criminal Petition is accordingly dismissed.

7. As a sequel, miscellaneous petitions if any, pending in this Criminal Petition shall stand closed.



15/12/2016
I s L

HONOURABLE SRI JUSTICE SURESH KUMAR KAIT

CRIMINAL PETITION NO. 16425 OF 2016
(DISMISSED)



Date: 15/12/2016
Circulation No.
Court Master: I s L