

THE HON'BLE SRI JUSTICE C.PRAVEEN KUMAR

CRIMINAL PETITION No.11033 of 2016

ORDER

The petitioner, who is A.4 in crime No.249 of 2015 of S.Kota Police Station, Vizianagaram District, filed the present application under Section 438 Cr.P.C. seeking release in the event of his arrest in connection with above crime registered for an offence punishable under Section 8 (c) r/w.10 (b) (ii) of NDPS Act, 1985.

The case of the prosecution is as under:

On 02.12.2015 at 6.00 p.m. while the informant was conducting vehicle check in front of Boddavara Village, S.Kota, received credible information about illegal transportation of ganja. It is alleged that about 200 kgs. of ganja packed in 108 packets was being transported in Bolero Max pickup vehicle bearing No.AP30 TC 7028. On interception, the accused is alleged to have ran away from the place leaving the vehicle. Basing on these allegations, the above crime came to be registered.

Learned counsel for the petitioner mainly submits that entire case is based on the confession of A.1 to A.3. Hence, requested for grant of anticipatory bail to the petitioner. The same is opposed by the learned Public Prosecutor contending that at this stage such confession can also be looked into.

Having regard to the facts and circumstances of the case and having regard to the gravity of offence alleged to have committed by the petitioner, this Court is of the view that it is not a fit case to grant anticipatory bail to the petitioner. However, the petitioner, if so advised, shall appear before concerned Court and move an application for grant of bail after giving prior notice to the Public Prosecutor, in which event the same shall be dealt with having regard to the fact that other accused are released on bail on the same day, in accordance with law.

Accordingly, the Criminal Petition is disposed of.

JUSTICE C. PRAVEEN KUMAR

03.08.2016

Note : Issue C.C. tomorrow.

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