

HON' BLE SRI JUSTICE SURESH KUMAR KAIT

CrI.P. No. 16693 of 2016

ORDER:-

This Criminal Petition is filed under Sections 437 and 439 Cr.P.C. seeking to grant bail to the petitioners-A1 & A2 in connection with Cr.No. 233 of 2016 of Rajanagaram Police Station, Rajamahendravaram Urban, East Godavari District, registered for the offence punishable under Section 8(c) read with 20 (b)(ii)(C) of N.D.P.S Act.

Earlier, for the same relief, the petitioners herein and A3 to A8 filed CrI.P.No. 14942 of 2016, and this Court, by order dated 25.10.2016, while granting bail to A3 to A8 dismissed the Criminal Petition against the petitioners – A1 and A2 as withdrawn. This Court gave a categorical finding that the petitioners are the main culprits in the alleged offence. A huge quantity i.e. 146 kgs. of ganja was recovered from the petitioners and their associates. Earlier, the petitioners were arrested in other cases also, thus, they are habitual offenders.

Keeping in view the commercial quantity of ganja recovered from the petitioners, Section 37 of the N.D.P.S Act bars in granting bail to the petitioners.

Hence, I do not find any merit in the Criminal Petition, and the same is, accordingly dismissed.

As a sequel, Miscellaneous Petitions, if any pending,
shall stand disposed of as infructuous.

SURESH KUMAR KAIT, J

09.12.2016

bcj

