

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL PETITION No.3187 OF 2016

ORDER:

Heard the learned counsel for the petitioner and the learned Public Prosecutor.

2. The petitioner, who is accused No.1, filed the present Criminal Petition under Sections 437 and 439 of the Code of Criminal Procedure, 1973, seeking enlargement on bail in Crime No.06 of 2016 of Ananthagiri Police Station, Visakhapatnam District, registered for the offence punishable under Section 20(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

3. The case of the prosecution is that on 22.01.2016 at about 3:00 P.M., while the Sub-Inspector of Police was present in Ananthagiri Police Station, received credible information of illegal transportation of Ganja. Upon which, he along with his staff and mediators reached Damuku Village Junction of Ananthagiri Mandal and while conducting vehicle check, noticed a car bearing No.DL 1 CJ 5355 coming from Araku side towards S.Kota. On seeing the police, the car driver stopped the car, and tried to skulk from there. With a difficulty, the police apprehended them and on questioning, all of them are alleged to have confessed that on that day, A.1 along with A.2 to A.4 went to interior villages of Orissa State and bought 118 Kgs., of Ganja, @ Rs.1,000/- per kg, packed them into 59 packets and kept in six bags and while transporting the same in the above said car, they were apprehended. On search, police seized the above quantity of Ganja from the vehicle, in which the accused were travelling. Basing on the said search and seizure, the present case came to be registered.

4. Learned counsel for the petitioner mainly submits that the petitioner is innocent of the offence alleged and all the material witnesses were examined.

5. Learned Public Prosecutor strenuously opposed the same.

6. A perusal of the record shows that on the date of the incident while the four accused, who were residents of Delhi, were travelling in a Car bearing registration No.DL 1 CJ 5355, the Sub Inspector of Police, Ananthagiri Police Station, intercepted them and recovered 118 Kgs., of Ganja, which is commercial quantity.

7. Having regard to the circumstances stated above, and taking into consideration the fact that the petitioner is a resident of New Delhi, and moreover, as the investigation is still pending, I am not inclined to grant bail to the petitioner at this stage.

8. Accordingly, the Criminal Petition is dismissed.

JUSTICE C. PRAVEEN KUMAR

Date:16.03.2016

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