

HON'BLE DR. JUSTICE B. SIVA SANKARA RAO

CRIMINAL PETITION No.9198 of 2017

ORDER:

Heard the learned counsel for the petitioner/accused aged about 85years of COR No.118 of 2017 of the SHO Pro.& Excise, Shamshabad, registered for the offences punishable u/sec.8(6)© r/w 20(b)(ii)(a) of NDPS Act for his alleged possession of 250gms., of Ganja, which is a small quantity of below 1kg., and also the learned Public Prosecutor for the 2nd respondent-State.

By virtue of Sections 37 and 36 (a) of the Act even from the conscious possession, presumption is against the accused to rebut from his otherwise entitlement to the concession of bail.

In view of the above, the Criminal Petition is disposed of. The investigation shall go on for nothing to quash the proceedings. Pending investigation the petitioner/accused shall not be arrested however, it will not prevent the police to secure presence of the petitioner for the purpose of investigation.

Consequently, miscellaneous petitions, if any shall stand closed.

Dr.JUSTICE B.SIVA SANKARA RAO

Date: 03.10.2017
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