

HON'BLE SRI JUSTICE U.DURGA PRASAD RAO

Criminal Petition No.4474 of 2017

ORDER:

Petitioners/A1 and A2 seek for regular bail in Cr.No.48 of 2017 of Nakkapalli PS, Visakhapatnam District registered for the offence under Sections 20(b) and 25 of NDPS Act, 1985.

2) Prosecution case is that on 20.03.2017 the SI of Police, Nakkapalli PS on receipt of credible information about illegal transportation of cannabis (ganja), while conducting vehicle checking at Hetero Road Junction on N.H.16, Saripallivanipalem Village found one Pulsar motor bike bearing No.AP 31 CS 4908 with gunny bag followed by one Tata Xenon Turbo Van bearing No.AP 27 TW 3311 coming from Addu road, the police stopped both the vehicles and on checking the said van they found 570 Kgs. of ganja.

Hence the complaint.

3) The bail is pleaded on the submission that petitioners were falsely implicated as their presence was not there at the scene.

4) Per contra, learned Addl.P.P. opposed the petition on the submission that commercial quantity of ganja was seized from the accused and the involvement of petitioners/A1 and A2 was clearly disclosed by the other accused in their confessional statements and investigation is still pending and charge sheet is yet to be filed.

5) A perusal of CD file shows that commercial quantity of ganja weighing 570 Kgs. was seized in the van. The confessional statements of

other accused would show that petitioners/A1 and A2 on seeing the police fled away from the scene, but other accused were caught by the police. As the matter stands, there is a strong *prima facie* case against the petitioners/A1 and A2 and investigation is pending. In these circumstances, bail is refused.

6) Accordingly, the bail application is dismissed.

As a sequel, miscellaneous petitions pending, if any, shall stand closed.

Dt: 29.06.2017
Murthy

U.DURGA PRASAD RAO, J

