

THE HON'BLE SRI JUSTICE T. SUNIL CHOWDARY

CRIMINAL PETITION No.7874 of 2017

ORDER:

This petition is filed, under Sections 437 and 439 Cr.P.C., by the petitioners-accused Nos.1 and 2 seeking bail in COR.No.365 of 2017 on the file of the Station House Officer, Prohibition and Excise Station, Narsampet, registered for the offence punishable under Section 8(c) read with 20(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

2. Heard the learned counsel for the petitioners.

3. The learned Additional Public Prosecutor submitted that the investigation is in progress; therefore it is not a fit case to grant bail the petitioners.

4. The case of the prosecution, in brief, is that on 30.07.2017 at about 9:30 P.M., on receiving credible information about the illegal transportation of ganja, the Prohibition and Excise Inspector, Narsampet, along with his staff proceeded to Bodrai of Madannapet Village, Narsampet Mandal and seized 3 kgs. of dry ganja along with one Boxer Kawasaki Motorcycle bearing No. AP 36 AB 2589 from the possession of the petitioners under the cover of panchanama. After following due procedure, the Prohibition and Excise Inspector, Narsampet, registered the above case and produced the petitioners before the Judicial First Class Magistrate at Narsampet for judicial custody. The petitioners filed CrI.M.P.No.531 of 2017 on the file of the Special Sessions Judge for NDPS Cases (I Additional Sessions Judge), Warangal, and the

same was dismissed on 11.08.2017 on the ground that the investigation is still in progress.

5. As rightly pointed out by the learned Additional Public Prosecutor, if the petitioners are released on bail at this stage, the possibility of threatening the witnesses cannot be ruled out completely.

6. Taking into consideration the nature of the offence alleged to have been committed by the petitioners and also the stage of investigation, this Court is of the considered view that it is not a fit case to grant bail to the petitioners.

7. Accordingly, the Criminal Petition is dismissed.

Date: 05.09.2017
Ivd

T.SUNIL CHOWDARY, J

