

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

Criminal Petition No.9673 of 2017

ORDER:

This Criminal Petition, under Sections 437 and 439 of the Code of Criminal Procedure, 1973, is filed by the petitioners/accused Nos.2 to 6, for grant of bail in connection with Crime No.49 of 2017 on the file of the Nathavaram Police Station, Visakhapatnam District, registered for the offences punishable under Section 20(b)(i)(c) read with Section 8(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

Heard the learned counsel for the petitioners/accused Nos.2 to 6, learned Additional Public Prosecutor representing the respondent-State and perused the record.

The learned counsel for the petitioners/accused Nos.2 to 6 would submit that the petitioners/accused Nos.2 to 6 are innocent persons and they are falsely implicated in this case. No Ganja was seized from their possession and ultimately prayed to allow the application.

On the other hand, the learned Additional Public Prosecutor opposed the bail application stating that there is ample evidence on record to believe the version of prosecution and that the petitioners/accused Nos.2 to 6 are not entitled for bail.

The material on record reveals that on 21.06.2017, the petitioners/accused Nos.2 to 6 were found carrying Ganja in five packets weighing 204 kilograms, worth Rs.4,04,000/-. The

same was seized under a cover of panchanama in the presence of mediators, as per the procedure. The quantity seized in this case is of commercial quantity. The allegations are grave. The matter requires thorough investigation. There is stringent punishment for possessing commercial quantity of Ganja. Under these circumstances, it cannot be said that no Ganja was seized from the possession of the petitioners/accused Nos.2 to 6. The Criminal Petition is devoid of merit and is liable to be dismissed.

Accordingly, the Criminal Petition is dismissed.

Miscellaneous petitions, if any, pending in this Criminal Petition, shall stand closed.

Dr. SHAMEEM AKTHER, J

17th November, 2017
Bvv

