

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

CRIMINAL PETITION No.8272 of 2017

ORDER:

This criminal petition is filed by the sole accused, under Section 438 of Cr.P.C., to grant pre arrest bail in Crime No.367 of 2017 on the file of the Station House Officer, Prohibition & Excise Station, Narsampet, Warangal District, for the offence punishable under Section 8(c) read with 20(b) of the Narcotic Drugs and Psychotropic Substances Act.

2. The learned counsel for the petitioner submitted that the petitioner was falsely implicated in this case by the Excise officials for statistical purpose. *Per contra*, learned Additional Public Prosecutor representing the State submitted that the investigation is in progress; therefore, it is not a fit case to grant pre arrest bail to the petitioner.

3. The case of the prosecution is that on reliable information, on 31.1.2017 the SHO, P&E Station, Narsampet along with mediators rushed to the house of the petitioner situated at Chakram Thanda and found one Kg., Ganja. The Investigating Officer seized Ganja and drew samples under the cover of panchanama and registered the above case.

4. The petitioner filed CrI.M.P.No.547 of 2017 on the file of the Court of I Additional Sessions Judge, Warangal, and the same was dismissed on 24.8.2017.

5. A perusal of the record reveals that the Excise officials seized one Kg., Ganja from the house of the petitioner. The record *prima*

facie reveals that the petitioner committed the offence under the NDPS Act. The investigation is in progress.

6. Taking into consideration the nature of offence and the stage of investigation, this court is of considered view that it is not a fit case to grant pre arrest bail to the petitioner.

7. Accordingly, the criminal petition is dismissed.

T.SUNIL CHOWDARY, J

September 14, 2017
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