

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

CRIMINAL PETITION No.9593 of 2017

ORDER:

This Criminal Petition is filed by the petitioners-accused Nos.1 and 2, under Sections 437 and 439 Cr.P.C., seeking bail in Crime No.85 of 2017 on the file of the Station House Officer, Prohibition and Excise Station, Bhavanipuram, Vijayawada, registered for the offence punishable under Section 8(c) read with 20(b)(ii)(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 to the petitioners.

4. The case of the prosecution is that on receiving reliable information, on 02.07.2017 at about 4:00 PM the Prohibition and Excise officials went to Vijayawada Railway Station to conduct search of vehicles and found two persons carrying huge bags on their shoulders. On suspicion, the Excise officials stopped those two persons, who disclosed their identity as petitioner Nos.1 and 2 herein. The Excise officials seized 18 kgs. and 10 kgs. of ganja from the possession of petitioner Nos.1 and 2 respectively. After following the due procedure, the Excise officials drew samples and produced the petitioners before the concerned Court for judicial custody.

5. The petitioners filed Criminal Petition No.7718 of 2017 on the file of this Court and the same was dismissed on 04.09.2017

on the ground that the investigation is in progress. There are no changed circumstances from the date of dismissal of the earlier bail petition to till date.

6. Taking into consideration the facts and circumstances of the case as well as 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: 16.10.2017
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T.SUNIL CHOWDARY, J

