

THE HON'BLE DR. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.10808 OF 2017

ORDER:

Heard learned counsel for the petitioners/A.1 to A.6 and learned Additional Public Prosecutor for the respondent State, and perused the record.

This petition is filed under Section 439 Cr.P.C. for grant of bail to the petitioners/A.1 to A.6 in Crime No.80 of 2017 of Railway Police Station, Vikarabad, for the offence punishable under Section 20(b) of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act')

Learned counsel for the petitioners/A.1 to A.6 would submit that the petitioners are innocent persons, no ganja was seized from them and a false case is foisted against them. The petitioners are in jail from 50 days and ultimately prayed to grant bail.

Learned Additional Public Prosecutor opposed the grant of bail to the petitioners/A.1 to A.6.

The material on record reveals that on 30.08.2017, these petitioners were travelling in Konark Express in Coach No.S6. When search was conducted, they were found in possession of 6 bags of ganja containing 8 kgs each. The samples were seized and sent to FSL. The FSL report is awaited.

Learned counsel for the petitioners also submitted that ganja seized is not a commercial quantity. As per the regulations, above 20 kgs of ganja is a commercial quantity. In this case, 48 kgs of ganja was seized. The investigation is in progress. There is stringent punishment for the offence under NDPS Act. It cannot

be said that the case of the prosecution is false. Therefore, it is not appropriate to enlarge the petitioners on bail.

Hence, the Criminal Petition is dismissed.

Dr. SHAMEEM AKTHER, J

15th NOVEMBER, 2017.
ssp

