

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

Criminal Petition No.10910 of 2017

ORDER:

This Criminal Petition, under Sections 437 and 439 of the Code of Criminal Procedure, 1973, is filed by the petitioner/accused No.1, for grant of bail in connection with Crime No.93 of 2017 on the file of the Prathipadu Police Station, East Godavari District, registered for the offences punishable under Section 8(c) read with Section 20(b)(ii)(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

Heard the learned counsel for the petitioner/accused No.1, learned Additional Public Prosecutor representing the respondent-State and perused the record.

The learned counsel for the petitioner/accused No.1 would submit that the petitioner/accused No.1 is an innocent person and he is falsely implicated in this case. No Ganja was seized from his 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 petitioner/accused No.1 is not entitled for bail.

The material on record reveals that on 21.05.2017, at 04:00 PM, when the petitioner/accused No.1 was proceeding in a Tata Safari Car bearing registration No.AP 31 CF 3333 on

National Highway No.16, at Dharmavaram village, the police stopped and searched the vehicle in the presence of mediators and seized 100 kilograms of Ganja under a cover of panchanama. The quantity seized in this case is of commercial quantity. The allegations levelled against the petitioner/accused No.1 are grave. The matter requires thorough investigation. There is stringent punishment for the offences indicated above. Release of the petitioner/accused No.1 would hinder investigation. There is possibility of winning over the witnesses. Therefore, it cannot be said that no Ganja was seized from the possession of the petitioner/accused No.1. It is not a fit case to allow the application.

Hence, 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