

The Hon'ble Dr. Justice Shameem Akther

Criminal Petition No.10696 of 2017

Order:

Heard learned Counsel for the petitioner/accused No.2, learned Additional Public Prosecutor appearing for the respondent-State and perused the record.

This Petition is filed under Section 439 Cr.P.C., for grant of bail to the petitioner/accused No.2 in Crime No.9 of 2017, on the file of the Station House Officer, Mothugudem Police Station, East Godavari District, registered for the offences punishable under Section 8(c) r/w Section 20 (b) (ii) (c) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

The learned Counsel for the petitioner would submit that the petitioner is falsely implicated in this case; nothing was seized from his possession; chargesheet is filed and ultimately prayed to allow the Petition.

The learned Public Prosecutor opposed for grant of bail to the petitioner.

As per the record placed before this Court, when the petitioner along with two other persons was travelling by Car bearing No.HR 26 AE 6824 from Mothugudem towards Bhadrachalam on 24-03-2017, the vehicle was intercepted; a search was conducted; in the course of search, 100 kgs of Ganja was seized

from the possession of the petitioner/accused No.2 and others in that car; and the said Ganja was kept in five gunny bags.

The allegations are serious in nature. The punishment for the offence is also stringent. Under these circumstances, it cannot be said that the case of the prosecution is false. Therefore, the petitioner is not entitled for bail.

As far as the trial of the case is concerned, the trial Court is directed to expedite the trial and dispose of the Sessions Case within a period of six months from the date of this order.

With the above observation and direction, the Criminal Petition is dismissed.

Dated: 16-11-2017
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(Dr.Shameem Akther, J)

