

The Hon'ble Dr. Justice Shameem Akther

Criminal Petition No.10908 of 2017

Order:

Heard learned Counsel for the petitioners/accused Nos.3 & 5, 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 petitioners/accused Nos.3 & 5 in Crime No.1 of 2017 on the file of Mothugudem Police Station, East Godavari District, registered for the offences punishable under Section 81 r/w Section 20 (b) (ii) (c) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

The learned Counsel for the petitioners denied the case of the Prosecution and submitted that nothing was seized from the possession of the petitioners. He ultimately prayed to allow the Petition.

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

As per the material placed on record, on 10-01-2017, the petitioners along with others were travelling by car bearing No.AP09 BC 2169 and 40 kgs of Ganja was seized from that car. There is also record to show that 380 kgs of Ganja was seized from a lorry under a cover of panchanama at the same time.

When huge quantity of Ganja is seized by following the procedure as prescribed under law, it cannot be said that the case of the Prosecution is false. Therefore, in view of the gravity of the offence and stringent punishment prescribed for the alleged offences, it is not appropriate to release the petitioners on bail. The trial Court can be directed to expedite the trial.

The Criminal Petition is dismissed and the trial Court is directed to expedite the trial and conclude the same by pronouncing the judgment within six months from the date of this order.

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

