

**HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH**

WEDNESDAY, THE TWENTY NINTH DAY OF NOVEMBER,
TWO THOUSAND AND SEVENTEEN
: PRESENT:

THE HON'BLE DR JUSTICE **SHAMEEM AKTHER**

CRIMINAL PETITION No. 11213 of 2017

Between:

1. Rathod Maruthi, S/o. Roop Singh
2. Rathod Susheela Bai, W/o. Vittal

Petitioners
(Accused 1 & 2 in Cr.No.85/2017
of Proh & Excise P.S., Krishna Dist)

AND

The State of Andhra Pradesh, rep. by its Public Prosecutor, High Court of Judicature at Hyderabad for the State of Telangana and A.P.

Respondent

Petition under Sections 437 & 439 of Cr.P.C. praying that in the circumstances stated in the grounds filed herein, the High Court may be pleased to enlarge the petitioners on bail in Crime No. 85 of 2017 on the file of Prohibition and Excise Police Station, Bhavanipuram, Vijayawada, Krishna District.

The Petition coming on for hearing, upon perusing the petition and the grounds filed herein and upon hearing the arguments of Sri P.Pandu Ranga Reddy, Advocate for the Petitioners and of the Addl. Public Prosecutor (AP) for the Respondent, the Court made the following

ORDER:

“ This Criminal Petition, under Section 439 of the Code of Criminal Procedure, 1973, is filed by the petitioners/accused No.1 and 2 for grant of bail in connection with Crime No.85 of 2017 on the file of the Prohibition and Excise Station, Bhavanipuram, Krishna District, registered for the offences punishable under Section 8(C) read with 20(b)(ii)(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (NDPS Act).

2. Heard the learned counsel for the petitioners/accused Nos.1 and 2, learned Additional Public Prosecutor representing the respondent-State and perused the record.

3. The specific allegation against the petitioners/accused Nos.1 and 2 is that the petitioner/accused No.1 was carrying two bags consisting of 18 kilograms of Ganja and the petitioner/accused No.2 was carrying 10 Kgs of Ganja. The same was seized under the cover of Panchanama on 02.07.2017 at Vijayawada Railway Station. Thereafter, the petitioners/accused Nos.1 and 2 were arrested and remanded to judicial custody on the same day.

4. It is brought to the notice of this Court that this case is being proceeded with by the Court of Sessions. The quantity of Ganja alleged to have been seized from the possession of the petitioner/accused No.1 is 18 Kgs and from the petitioner/accused No.2 is 10 Kgs. Ganja seized appears to be below the commercial quantity. Having regard to the nature of allegations levelled against the petitioner/accused Nos.1 and 2 and as the petitioners/accused Nos.1 and 2 have to prepare for their defence, they can be enlarged on bail on some conditions.

5. Accordingly, the petitioners/accused Nos.1 and 2 are ordered to be released on bail on their executing personal bonds for a sum of Rs.10,000/- (Rupees ten thousand only) each with two sureties in a like sum each to the satisfaction of the learned Special Judge for SPE & ACB Cases, FAC Metropolitan Sessions Judge, Vijayawada, Krishna District. One of the sureties shall be the blood relation and native of the village of the petitioners/accused Nos.1 and 2 and shall further offer immovable property as surety. On release, the petitioners/accused Nos.1 and 2 shall appear before the Station House Officer, Prohibition and Excise Station, Bhavanipuram, Krishna District, once in a month, for three months.

6. The Criminal Petition is, accordingly, allowed.

Miscellaneous petitions, if any, pending in this Criminal Petition, shall stand closed."

ASSISTANT REGISTRAR

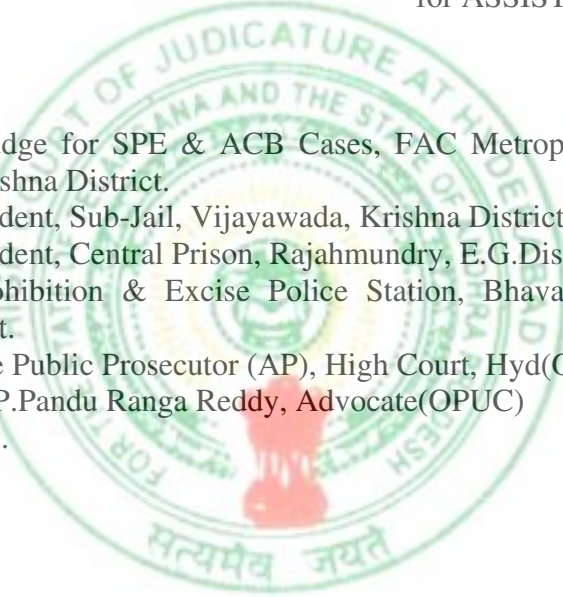
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for ASSISTANT REGISTRAR

To

1. The Special Judge for SPE & ACB Cases, FAC Metropolitan Sessions Judge, Vijayawada, Krishna District.
2. The Superintendent, Sub-Jail, Vijayawada, Krishna District.
3. The Superintendent, Central Prison, Rajahmundry, E.G.District.
4. The SHO, Prohibition & Excise Police Station, Bhavanipuram, Vijayawada, Krishna District.
5. Two CCs to the Public Prosecutor (AP), High Court, Hyd(OUT)
6. One CC to Sri P.Pandu Ranga Reddy, Advocate(OPUC)
7. One spare copy.

SAH



HIGH COURT

Dr.SAJ

DATED: 29-11-2017

ORDER

CRL.P.NO. 11213 OF 2017



BAIL GRANTED

DRAFTED BY: SAH
APPROVED BY:
DRAFTED ON: 30-11-2017

HIGH COURT

Dr.SAJ



DATED: 29-11-2017

ORDER

CRL.P.NO. 11213 OF 2017

BAIL GRANTED