

THE HON'BLE DR. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.11475 OF 2017

ORDER:

This petition is filed under Section 439 Cr.P.C. to grant bail to the petitioner-A3 for the offence alleged under Section 8 (c) r/w 20 (b) (ii)(c) of NDPS Act.

2. Heard learned counsel for the petitioner-A3, learned Additional Public Prosecutor representing the State and perused the record.

3. Learned counsel for the petitioner-A3 would submit that the mandatory provisions of Section 50 of the NDPS Act have not been complied with. The case of the prosecution is absolutely false. No ganja was transported by the petitioner-A3 and ultimately, prayed to allow the petition.

4. Learned Additional Public Prosecutor opposed the grant of bail to the petitioner-A3.

5. It is brought to the notice of this Court that earlier bail application was dismissed by this Court as per order, dated 22.06.2017 in CrI.P.No.4211 of 2017 assigning number of reasons.

6. Learned Additional Public Prosecutor brought to the notice of this Court about compliance of Section 50 of the NDPS Act. In the instant case, the Tahsildar, Rajanagaram Mandal, was present when the search and seizure was conducted. Therefore, there is nothing to take a different view. There are no changes of circumstances.

7. Accordingly, the Criminal Petition is dismissed.

DR.SHAMEEM AKTHER, J

DATED: 29-11-2017

Hsd