

THE HON'BLE DR. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.11712 OF 2017

ORDER:

Heard learned counsel for the petitioner/A.1, learned Additional Public Prosecutor 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/A.1 in S.C.No.126 of 2017 on the file of I Additional District and Sessions Judge, East Godavari District, Rajamahendravaram.

Learned counsel for the petitioner would submit that on 20.02.2017, the wife of the petitioner died. The petitioner has a son of two years. Except the petitioner, there is no other person to take care of. The petitioner/A.1 is only an employee of A.3 and A.4. He has no connection with the alleged seizure. He is falsely implicated in this case and ultimately, prayed to allow the petition.

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

As per the material placed on record, 850 kgs of ganja was seized from the possession of petitioner/A.1 and A.2, when the same was being transported by Swaraj Mazda van bearing No.AP16TX 7828. The said van belongs to A.3. Petitioner/A.1 was the driver of the van. When huge quantity of ganja was seized under the cover of panchanama, it cannot be said that the petitioner/A.1 has not in conscious possession of ganja and a false case is foisted against him. It is brought to the notice of this Court that charge-sheet is filed and Sessions Case is numbered. The death of the wife of the petitioner/A.1 is not a ground to allow this

petition. Taking care of two years son is also not a ground to allow the petition. The trial Court is directed to expedite the trial of the Sessions Case.

With the above direction, the Criminal Petition is dismissed.

Dr. SHAMEEM AKTHER, J

12th December, 2017.
ssp

