

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.11498 OF 2017

ORDER:

This Criminal Petition, under Section 439 of the Code of Criminal Procedure, 1973, is filed by the petitioner/accused No.1, for grant of bail in connection with Crime No.35 of 2016 on the file of Maredumilli Police Station, East Godavari District, registered for the offence punishable under Section 8 (c) read with 20 (b) (ii) (C) of Narcotic Drugs and Psychotropic Substances Act, 1985.

2. Heard the learned counsel for the petitioner/accused No.1, learned Additional Public Prosecutor representing the respondent-State and perused the record.

3. The petitioner/accused No.1 was remanded to judicial custody on 20.07.2016. The earlier bail application filed by the petitioner/accused No.1 was dismissed by the I Additional District and Sessions Judge, East Godavari at Rajamahendravaram, vide order, dated 13.11.2017, in CrI.M.P.No.1881 of 2017 in NDPS S.C.No.173 of 2016.

4. It is brought to the notice of this Court that trial has been commenced and material witnesses were examined and the case is being adjourned for the evidence of the Investigating Officer.

5. It is also brought to the notice of this Court that the said Investigating Officer is an accused in another ganja case. Therefore, his evidence is not completed for the last six months. It is not a fit case to allow the petition. However, the trial Court is directed to expedite the trial and pronounce the judgment within two months

from the date of receipt of a copy of this order by allowing prosecution either to get the Investigating Officer on record or to get other evidence as per the procedure established.

6. Accordingly, the Criminal Petition is disposed of.

Dr. SHAMEEM AKTHER, J

December 05, 2017
MD



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