

THE HON'BLE DR. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.11652 OF 2017

ORDER:

Heard learned counsel for the petitioner/A.6, 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.6 in Crime No. 345 of 2017 of Patamata Police Station, Vijayawada, for the offence punishable under Section 8(c) read with Section 20(b)(ii)(c) of NDPS Act.

Learned counsel for the petitioner would submit that the petitioner is an innocent person. No ganja was seized from his possession. He has a son of two years old to take care of. He is in judicial custody from 27.05.2017 and ultimately prayed to allow the petition.

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

The material on record reveals that the petitioner/A.6 along with other accused travelled by car bearing No.AP 09 BQ 5373. On interception and search of the said car, 44 kgs of ganja was found. There is also another car bearing No.TS 12 ED 4660, wherein 84 kgs of ganja was seized under a cover of panchanama. The allegations are grave. The bail application of the petitioner was dismissed by the Court of Session as per the orders passed in CrI.M.P.No.1821 of 2017 dated 08.11.2017 assigning number of reasons therein. The quantity of ganja seized from the possession of the petitioner/A.6 is a commercial quantity. Having small child is not a ground to grant bail to the petitioner/A.6. There is

stringent punishment prescribed for the alleged offence. It cannot be said that the petitioner would not commit similar offence in future. The petitioner is not entitled for bail.

In the result, the Criminal Petition is dismissed.

Dr. SHAMEEM AKTHER, J

13th December, 2017.
ssp

