

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

Criminal Petition No.12014 of 2017

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by the petitioner/accused No.2, for grant of anticipatory bail in the event of his arrest in Crime No.230 of 2017 on the file of the Vikarabad Police Station, Vikarabad District, registered for the offences punishable under Section 20(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

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

3. The learned counsel for the petitioner/accused No.2 would submit the petitioner/accused No.2 has nothing to do with the alleged offence. He is no way concerned with the accused No.1, who was arrested and from whose possession 5 packets of Ganja (each packet containing 100 grams) was seized under a cover of panchanama, dated 22.09.2017. The name of the petitioner/accused No.2 is not mentioned in the First Information Report and ultimately prayed to allow the application.

4. On the other hand, the learned Additional Public Prosecutor opposed the grant of bail to the petitioner/accused No.2.

5. The material on record reveals that earlier, accused No.1 was involved in several cases relating to illegal possession and transportation of Ganja. He stopped the said business for some time.

Thereafter, the petitioner/accused No.2 and accused No.3 prevailed upon accused No.1 to continue the old links and Ganja business. There is also specific mention to that effect in the panchanama, dated 22.09.2017. There is also material to show that the petitioner/accused No.2, along with accused No.3, has been indulging in procurement and sale of Ganja. The allegations are grave. The matter requires thorough investigation. Release of the petitioner/accused No.2 on bail would not only hinder the investigation but there is possibility of causing disappearance of the material evidence. Therefore, it is not a fit case to allow this application.

6. Therefore, the Criminal Petition is dismissed.

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

Dr. SHAMEEM AKTHER, J

13th December, 2017
Bvv

