

**HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH**

WEDNESDAY, THE TWENTIETH DAY OF DECEMBER,
TWO THOUSAND AND SEVENTEEN

:PRESENT:
THE HON'BLE DR JUSTICE SHAMEEM AKTHER

CRL.P .No. 12340 of 2017

Between:

Sima Devi, W/o Bhulan Yadav,
Aged 42 years, C/Yadava,
Santhinagar Village, Baruna Town,
Buxar District, Bihar State.

..... Petitioner/
Accused No.4

AND

The State of Andhra Pradesh, Rep. by its Public Prosecutor, High Court of
Judicature at Hyderabad For the State of Telangana and the State of Andhra
Pradesh, Hyderabad.

.....Respondent/
Complainant

Petition under Sections 437 & 439 of Cr.P.C. praying that in the circumstances stated in the petition filed herein, the High Court may be pleased to enlarge the Petitioner/accused No.4 on Regular Bail in SC No.144 of 2017 on the file of Metropolitan Sessions Judge, Vijayawada, Krishna District and release the Petitioner/accused No.4 on such terms and conditions.

The petition coming on for hearing, upon perusing the Petition filed in support thereof and upon hearing the arguments of Sri T.R.K.S. Srinivas, Advocate for the Petitioner-A4 and of the learned Additional Public Prosecutor (AP) for the Respondent-State, the Court made the following

ORDER:

“This petition is filed under Section 439 Cr.P.C. to grant bail to the petitioner-A4 for the offence alleged under Section 8 (c) r/w 20 (b) (ii) (c) of N.D.P.S. Act.

2. Heard learned counsel for the petitioner-A4, learned Additional Public Prosecutor representing the State and perused the record.

3. Learned counsel for the petitioner-A4 would submit that the petitioner-A4 is an innocent person and falsely implicated in this case. As per the prosecution case, 10 Kgs of ganja was seized from her possession on 07.08.2017. The charge sheet is filed in this case. The petitioner-A4 is ready to provide required security for her release and ultimately, prayed to allow the application.

4. On the other hand, learned Additional Public Prosecutor opposed the grant of bail to the petitioner-A4.

5. As per the record placed before this Court, charge sheet is filed, wherein there is a specific mention that 10 Kgs of ganja was seized from the possession of the petitioner-A4. The investigation is completed in this case. The quantity of ganja seized is not a commercial quantity.

6. Having regard to the nature of allegations and the material collected so far and the petitioner-A4 is required to prepare for her defence, she can be enlarged on bail under Section 439 Cr.P.C.

7. In the result, the petitioner-A4 is ordered to be released on bail on her executing a personal bond for Rs.20,000/- (Rupees twenty thousand only) with two sureties each in a like sum to the satisfaction of II Metropolitan Magistrate for Railways, Vijayawada. Further, one of the sureties shall be the person belonging to the native place of the petitioner-A4, having immovable property.

8. Accordingly, the Criminal Petition is allowed.”

ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To

- 1 The Metropolitan Sessions Judge-cum-Spl. Judge for Trial of N.D.P.S. Act Cases, at Vijayawada.
- 2 The II Metropolitan Magistrate for Railways, Vijayawada.
- 3 The Superintendent, District Jail, Vijayawada.
- 4 The Station House Officer, Government Railway Police Station, Vijayawada City.
- 5 One CC to Sri T.R.K.S. Srinivas, Advocate (OPUC)
- 6 Two CCs to Public Prosecutor (AP), High Court of Judicature at Hyderabad. (OUT)
- 7 One spare copy.



HIGH COURT

Dr.SA,J

DATE: 20-12-2017

BAIL ORDER

CRL.P. NO. 12340 OF 2017

DIRECTION



HIGH COURT

Nnr

Date of Drafting: 21-12-2017

Dr.SA,J

DATE: 20-12-2017

BAIL ORDER

CRL.P. NO. 12340 OF 2017

DIRECTION

