

THE HON'BLE DR. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.11897 OF 2017

ORDER:

Heard learned counsel for the petitioners/A.1 and A.2, 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 petitioners/A.1 and A.2 in Crime No.141 of 2017 of Palvoncha Police Station, Khammam District, for the offence punishable under Section 8(c) read with Section 20(B) of NDPS Act.

Learned counsel for the petitioners would submit that the petitioners are falsely implicated in this case and no ganja is seized from their possession. Further, when the application filed by the petitioners under Section 167(2) Cr.P.C. on completion of 180 days remand, the trial Court erred in dismissing the same and ultimately prayed to allow the petition.

Learned Additional Public Prosecutor submits that 208 kgs of ganja was seized from an unregistered Bolero van from conspicuous possession of the petitioners/A.1 and A.2. Charge-sheet is filed. The petitioners are not entitled for bail under Section 439 Cr.P.C.

As per the material placed on record, 208 kgs of ganja was seized from the conspicuous possession of A.1 and A.2 under the cover of panchanama as per the procedure established under law. The quantity seized is a commercial quantity.

At this stage, learned counsel for the petitioners seeks permission of this Court to withdraw the petition.

In the result, the Criminal Petition is dismissed as withdrawn.

Dr. SHAMEEM AKTHER, J

11th December, 2017.
ssp

