

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

THURSDAY, THE TWENTY EIGHTH DAY OF DECEMBER,
TWO THOUSAND AND SEVENTEEN

:PRESENT:
THE HON'BLE SMT JUSTICE T RAJANI

CRL.P .No. 12732 of 2017

Between:
Dandu Sairaju S/o Pera Raju

..... Petitioner/Accused No.6

AND

The State of Andhra Pradesh, Rep by its Public Prosecutor, High Court at
Hyderabad

.....Respondent/Complainant

Petition under Section 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.6 on regular bail in F.I.R. No. 321 of 2017 on the file of Ibrahimpatnam Police Station, Vijayawada City, Andhra Pradesh

The petition coming on for hearing, upon perusing the Petition filed in support thereof and upon hearing the arguments of Sri DASARI S.V.V.S.V PRASAD, for the petitioner and of learned Public Prosecutor (TG) for the respondent-State, the Court made the following

ORDER:

This petition is filed, under Sections 437 and 439 of the Criminal Procedure Code, 1973, seeking to enlarge the petitioner, who is A6, on bail in Crime No.321 of 2017 on the file of Ibrahimpatnam Police Station, Vijayawada City, Andhra Pradesh. The offences alleged against the petitioner are under Sections 8(c) r/w 20(b)(ii)(c) of NDPS Act, 1985.

2. Heard the counsel for the petitioner and the Public Prosecutor appearing for the respondent.

3. The counsel for the petitioner submits that this petitioner is only a lorry driver in which the Ganja, in question, was transported. The confession made by the petitioner, as per the confession statement, is that he was engaged by the other accused for transportation of Ganja and he was lured by the charges that he was offered for transporting the Ganja. Though the Ganja involved is of commercial quantity, it is likely that the guilt of the petitioner may not be proved.

4. The investigation was also completed and the charge sheet was also filed.

5. Hence, considering the above circumstances, the Criminal Petition is allowed and the petitioner is directed to be enlarged on bail on condition of his executing a personal bond for a sum of Rs.40,000/- (Rupees forty thousand only) with two sureties for a like sum each to the satisfaction of the IV Additional Chief Metropolitan Magistrate, Vijayawada, and to appear before the trial Court on the dates given by the concerned Court.

As a sequel, the miscellaneous applications, if any pending, shall stand closed.

ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To

- 1 The IV Additional Chief Metropolitan Magistrate, Vijayawada
- 2 The Superintendent, District Prison, Vijayawada, Krishna District
- 3 The Station House Officer, Ibrahimpatnam Police Station, Vijayawada City
- 4 One CC to DASARI S.V.V.S.V PRASAD, Advocate (OPUC)
- 5 Two CCs to Public Prosecutor (TG), High Court of Judicature at Hyderabad. (OUT)
- 6 One spare copy.

HIGH COURT

TRJ

DATE: 28-12-2017

ORDER

CRL.P. NO. 12732 OF 2017

DIRECTION



Avs

Date of Drafting: 28-12-2017

HIGH COURT

TRJ

DATE: 28-12-2017

ORDER

CRL.P. NO. 12732 OF 2017

DIRECTION

