

SMT JUSTICE T.RAJANI

CRIMINAL PETITION No.11870 OF 2017

ORDER:

This Criminal Petition is filed seeking for grant of bail to the petitioners who are accused Nos.1 to 4 in Crime No.56 of 2017 on the file of Narsipatnam (Rural) Police Station, Visakhapatnam district.

2. The offences alleged are under Section 20(b)(i)(ii)(c) R/w. 8(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, 'the Act').

3. Heard the learned counsel for the petitioners, learned Public Prosecutor appearing for the respondent-State, and perused the record.

4. The case of the prosecution is that the accused were found to be in possession of 4 bags, weighing about 100 K.Gs. of ganja. The possession being joint, possession of the accused has to be assumed as being in possession of the commercial quantity. Section 37 of the Act does not permit grant of bail when commercial quantity is involved, unless there are reasonable grounds for believing that the accused are not guilty of such offence and that they are not likely to commit any offence while on bail.

5. A perusal of the charge sheet shows that *prima-facie* the guilt of the accused is evident. Hence, in the above circumstances, this Court finds that the petitioners are not entitled for bail.

Hence, the Criminal Petition is dismissed. As a sequel, the miscellaneous applications, if any pending, shall stand dismissed.

T. RAJANI, J

Date: 26.12.2017.
Dsh

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