

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

Criminal Petition Nos.11514 & 12403 of 2017

COMMON ORDER:

Since the petitioners in both these Criminal Petitions are the accused in the same crime, both these petitions are being disposed of by this common order.

2. Criminal Petition Nos.11514 of 2017 and 12403 of 2017 are filed by the petitioner/A.4 and petitioner/A.5 respectively, under Section 439 of the Code of Criminal Procedure, 1973, for grant of bail to them in Crime No.35 of 2017 on the file of the Rajanagaram Police Station, Rajamahendravaram, East Godavari District, registered for the offence punishable under Sections 8(c) read with 20(b)(ii)(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

3. Heard the learned counsel for the petitioners in both these petitions, learned Additional Public Prosecutor representing the respondent-State and perused the record.

4. In the course of submissions, it is brought to the notice of this Court that the petitioners/A.4 and A.5 had earlier filed a Criminal Petition in CrI.P.No.2901 of 2017 before this Court and the same was dismissed by this Court by order, dated 13.04.2017. Again, the petitioners/A.4 and A.5 have filed another bail application before this Court in CrI.P.No.7331 of 2017 and the said bail application was also dismissed by this Court by order, dated 31.08.2017. The learned Additional Public

Prosecutor would submit that subsequent bail application in CrI.P.No.7331 of 2017 was dismissed by this Court after filing of the charge-sheet. In both the orders passed in the aforementioned Criminal Petitions, this Court had elaborately dealt with the contentions raised by the petitioners/A.4 and A.5 and ultimately dismissed the said Criminal Petitions. There are no changed circumstances. There is *prima facie* case against the petitioners/A.4 and A.5. They are not entitled for bail under Section 439 of Cr.P.C.

5. Accordingly, both the Criminal Petitions are dismissed.

Miscellaneous petitions, if any, pending in both these Criminal Petitions, shall stand closed.

Dr. SHAMEEM AKTHER, J

21st December, 2017
Bvv

