

SMT. JUSTICE T.RAJANI

CRIMINAL PETITION No.659 of 2018

ORDER:

This criminal petition, under Sections 437 and 439 of Cr.P.C., is filed by petitioner/accused in Crime No.21 of 2017 of A. Koduru Police Station, Visakhapatnam District, seeking bail.

2. The offence alleged against the accused is under Section 20(b)(ii)(c) read with Section 8(c) of NDPS Act.

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

4. Learned counsel for petitioner submits that the petitioner has been languishing in jail since several days.

5. It appears from the record that commercial quantity of ganja i.e., 80 Kgs, was seized from the possession of the accused and therefore, Section 37 of NDPS Act does not permit the Court to grant bail, unless it appears that the accused is not guilty of the offence and that he would not commit any other offence while on bail. Though there is no report from the prosecution that the petitioner is connected with any other offence, there is absolutely no reason to disbelieve the case of the prosecution from which *prima facie*, it appears that the petitioner has committed the alleged offence.

6. In view of the above, the Criminal Petition is dismissed.

7. Miscellaneous applications, if any, pending in this criminal petition shall stand dismissed.

T. RAJANI, J

1st February, 2018.

sj