

SMT JUSTICE T. RAJANI

CRIMINAL PETITION No.1199 of 2018

ORDER:

This petition is filed, under Sections 437 and 439 of the Criminal Procedure Code, seeking grant of bail to the petitioner, who is the sole accused, in Cr.No.115 of 2017 on the file of the Station House Officer, GRP Samalkota Police Station, Rajamahendravaram, East Godavari District. The offences alleged are under Section 8(c) read with Section 20(b)(ii)(c) of the NDPS Act.

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

3. The case of the prosecution is that the petitioner was found to be in possession of 36 KGs Ganja, which was far beyond the commercial quantity. The remand report shows that the petitioner was found sitting beside Ganja bags.

4. The contention of the counsel for the petitioner is that the petitioner is a coolie and that he does not have the capacity to purchase such huge quantity of Ganja.

5. The confession of the petitioner itself reveals that he paid money to purchase Ganja from an unknown person.

6. Hence, considering the above, this Court opines that Section 37 of the NDPS Act comes in the way of granting bail to the petitioner.

Hence, the criminal petition is dismissed.

T. RAJANI, J

March 6, 2018/DSK