

SMT JUSTICE T.RAJANI

CRIMINAL PETITION No.1581 OF 2018

ORDER:

This petition is filed, under Sections 437 and 439 of the Criminal Procedure Code, 1973, seeking to enlarge the petitioners, who are A1 and A2, on bail in Crime No.89 of 2017, on the file of Bhavanipuram Prohibition and Excise Police Station, Vijayawada, Krishna District, for the offences punishable under Sections 8(c) r/w 20(b)(ii)(c) of NDPS Act.

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

3. The counsel for the petitioners himself submits, that earlier two bail petitions filed by these petitioners were dismissed. A perusal of the orders show that the merits of the case were considered, while dismissing the bail application. The contention of the petitioners counsel that the Ganza involved in this case is not a commercial quantity is refuted by the learned public prosecutor, by contending that the Ganza in this case was seized from A1 and A2 and it is beyond the commercial quantity. The total quantity involved in this case is more than 43 Kgs.

4. Having considered the above facts, this Court opines that, when the case involves commercial quantity, the petitioners will not be entitled for grant of bail.

5. Accordingly, the Criminal Petition is dismissed.

As a sequel, miscellaneous petitions pending consideration, if any, in this case shall stand closed.

T.RAJANI, J

19.02.2018
SS

