

SMT JUSTICE T.RAJANI

CRIMINAL PETITION No.1687 OF 2018

ORDER:

This Criminal Petition is filed seeking for grant of bail to the petitioners, who are accused Nos.1 and 3, in Crime No.65 of 2017 on the file of the Station House Officer, Narsipatnam Rural Police Station, Visakhapatnam District.

2. The offences alleged are under Section 20(b)(i)(ii)(C) and Section 25 R/w.8(c) of the Narcotic Drugs and Psychotropic substances Act, 1985 (for short, 'the NDPS Act').

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

4. Learned counsel for the petitioners submits that the entire investigation is completed and charge sheet is also filed.

5. But, unfortunately, the case involves commercial quantity of ganja, which is about 400 K.Gs. Hence, Section 37 of the NDPS Act comes in the way of granting bail to the petitioners. Even if the submission of the petitioners' counsel that the petitioners are not likely to commit any offence on bail is considered, the other condition, that the Court should find reasonable grounds that the petitioners are not guilty, still remains as a hurdle.

6. Hence, this Court is not inclined to grant bail to the petitioners. Accordingly, the Criminal Petition is dismissed.

As a sequel, the miscellaneous applications, if any pending, shall stand dismissed.

T. RAJANI, J

Date: 28.02.2018.
DSH

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