

SMT JUSTICE T.RAJANI

CRIMINAL PETITION No.1863 OF 2018

ORDER:

This Criminal Petition is filed seeking for grant of bail to the petitioner, who is accused No.3, in Crime No.18 of 2017 on the file of the Station House Officer, K.D. Peta Police Station, Visakhapatnam District.

2. The offences alleged are under Section 20(b)(i)(ii)(B)(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 petitioner, learned Public Prosecutor appearing for the respondent-State, and perused the record.

4. Learned counsel for the petitioner submits that the petitioner only piloted the other accused in transportation of ganja and is languishing in jail since 02.05.2017.

5. But, in the considered opinion of this Court, the said piloting and assisting the other accused would amount to involvement of the petitioner in the alleged offences. Moreover, 240 K.Gs. of ganja, which is beyond the commercial quantity, is seized from the possession of accused Nos.1 to 3.

6. Hence, this Court cannot overcome the hurdle of Section 37 of the NDPS Act in granting bail to the petitioner. Accordingly, the Criminal Petition is dismissed.

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

Date: 28.02.2018.
DSH

T. RAJANI, J

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