

SMT. JUSTICE T. RAJANI

CRIMINAL PETITION No.1912 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 accused Nos.1 and 2, on bail, in Cr.No.63 of 2017 on the file of the Nathavaram Police Station, Visakhapatnam District. The offence alleged against the petitioners is under Section 8 (c) r/w 20 (b) (ii) (C) of NDPS Act, 1985.

2. Heard learned counsel for the petitioners/A.1 and A.2, learned Public Prosecutor appearing for the respondent-State.

3. As per the case of the prosecution, 120 kgs., of Ganja was seized from the possession of the petitioners. Hence, Section 37 of the NDPS Act, 1985 does not permit this Court to grant bail. Counsel for the petitioners is not able to make out any case in respect of the two conditions that are incorporated under Section 37 of the Act, except stating that petitioners were arrested on 22.07.2017 and that charge sheet is filed.

4. Hence, this Court is of the view that bail cannot be granted to the petitioners.

5. Criminal petition is accordingly dismissed.

As a sequel, miscellaneous petitions, if any pending, stand closed.

March 14, 2018
MRR

T. RAJANI, J