

SMT JUSTICE T.RAJANI

CRIMINAL PETITION No.2342 OF 2018

ORDER:

This Criminal Petition is filed seeking for grant of bail to the petitioner, who is accused No.1, in Crime No.73 of 2017 on the file of the Station House Officer, Deverapalli Police Station, Visakhapatnam District. The offence alleged is under Section 20(B)(1) R/w.8(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, 'the NDPS Act').

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

3. Learned counsel for the petitioner submits that this Court, by virtue of the orders in Criminal Petition No.1377 of 2017, granted bail to accused No.6 on 14.02.2018. Learned counsel for the petitioner now submits that the petitioner is also entitled for bail as his case stands on the same footing as that of accused No.6.

4. Learned Public Prosecutor contends that the case of the petitioner/accused No.1 stands on a different footing.

5. A perusal of the above order, granting bail to accused No.6, shows that accused No.6 was arrested much after the date of the offence. But this petitioner got arrested at the spot and the quantity of ganja involved is 480 K.Gs, which is a hurdle for grant of bail in view of Section 37 of the NDPS Act.

6. Hence, the Criminal Petition is dismissed.

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

Date: 06.03.2018.
DSH

T. RAJANI, J

SMT JUSTICE T.RAJANI

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CRIMINAL PETITION No. 2342 OF 2018

Date. 06.03.2018

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