

HON' BLE SRI JUSTICE Dr. B. SIVA SANKARA RAO

CRIMINAL PETITION No.2491 of 2018

ORDER:

The petitioner is A1 out of five accused in Crime No.446 of 2017 of Airport Police Station, Visakhapatnam.

2. Heard the learned counsel for the petitioner and the learned Public Prosecutor representing the State of Andhra Pradesh.

3. The crime is registered on 25.11.2017 for the alleged offence punishable under Section 8(c) r/w Section 20(b)(ii) of the Narcotic Drugs and Psychotropic Substance Act, 1985, amended Act 9 of 2001 (for short 'the Act'). The record shows the quantity involved is commercial of more than 194 Kgs. of ganja seized from the two vehicles while travelling left apprehending seizure, consciously on a right side and perusal of the record including the disclosure statements show that the twin requirements of Section 37 of the Act no way attract.

4. Having regard to the above, there are no merits in the bail application but for if at all from the remand period of 180 days expired and application stated to have been filed by the investigation agency for extension of the remand period in the event of its dismissal as required to be disposed of first for

considering any entitlement of default bail as laid down by the latest three Judge Bench expression in Rambeer Shokeen v. State (NCT of Delhi)¹. Accordingly, the Criminal Petition is dismissed, without prejudice to avail such right if any.

5. Consequently, miscellaneous petitions, if any shall stand closed.

JUSTICE Dr. B.SIVA SANKARA RAO

Date: 05.06.2018

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¹ 2018(4) SCC 405