

HON'BLE Dr. JUSTICE B. SIVA SANKARA RAO

CRIMINAL PETITION No.5756 of 2018

ORDER :

Heard counsel for petitioner/A1 of Crime No.42 of 2018 of Patamata PS of Vijayawada City registered for the offences punishable under Sections 8(c) r/w 20(b)(ii) (c) of the NDPS Act having found 135 packets of ganja each two KGs total 270 Kgs., in the car bearing No. MH 02 AU 9137 on 18.01.2018 while conducting raids and vehicular checking from Gannavaram side of NH 16 and when the persons on seeing tried to skulked, they were apprehended and when questioned disclosed their name, identity and they were carrying the contraband, which is the Ganja, consequently it was seized.

The petitioner was arrested and submitted to judicial custody on 19.01.2018. From bail application averments, earlier dismissal order of the learned Metropolitan Sessions Judge of the bail sought in CrI.M.P.No.161 of 2018 dated 01.02.2018 and the remand report, it clearly discloses that there is a *prima facie* accusation and there is nothing to say that the twin requirements from the limitations provided by Section 37 of the NDPS Act have no application, thereby the petitioner is not entitled to the concession of bail.

Hence, the criminal petition is dismissed. Need less to say, the learned Sessions Judge shall make every endeavour for early disposal, preferably within five months from the date of

receipt of a copy of this order, as per the directions of the Apex Court in *Thana Singh v. Central Bureau of Narcotics*¹.

Miscellaneous petitions pending, if any, shall stand closed.

JUSTICE Dr. B. SIVA SANKARA RAO

June 14, 2018
LMV



¹ 2013 (2) DCR CrI.280 (SC)