

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

Criminal Petition No.6398 of 2018

ORDER:

Heard the learned counsel for the petitioner/ accused in Cr.No.103 of 2018 of Narasaraopet II Town Police Station, Guntur District, registered for the offences punishable u/ secs.188, 272, 273, 420 IPC, u/ sec.20(B)(ii) r/ w Section 8(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, 'the NDPS Act'), and Sections 58,59 and 63 of the Food Safety and Standards Act, 2006(for short, 'the FSS Act'), and the learned Public Prosecutor representing the State and perused the First Information Report, bail application averments and the material on record.

The contention of the learned counsel for the petitioner is that he is innocent and falsely implicated in this case.

The learned Public prosecutor opposed the bail application saying that he is in custody of the premises taken and there he kept the contraband supra besides the Gutka packets and other material seized from his disclosure and he is involved already in 4 cases for his dealing with gutka.

The petitioner is in judicial custody since 12.05.2018. The alleged contraband i.e. Gutka packets and Ganja of 1.050kgs. seized is from the car on confession of the petitioner herein to the police. No doubt, upto one kg., it is small quantity, upto 20kgs, it is in between small and commercial quantity and above 20kgs., it is commercial quantity. Undisputedly, the petitioner went unsuccessful in the application for bail vide CrI.M.P.No.498 of 2018 before the learned I Addl. District & Sessions Judge, Guntur vide order dt.11.06.2018 from the investigation in progress, besides involved in other cases.

Having regard to the above, the Criminal Petition is dismissed. Liberty is given to file fresh petition showing change in circumstances and from progress of further investigation.

Consequently, miscellaneous petitions, if any, pending in this Criminal Petition shall stand closed.

Dr. B. SIVA SANKARA RAO, J

Date: 27.06.2018
Vvr

