

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

CRIMINAL PETITION No.7085 of 2018

ORDER:

Heard the learned counsel for the petitioner, who is A1 in Crime No.156 of 2017 of Anakapalli Prohibition and Excise Police Station, Visakhapatnam and the learned Public Prosecutor representing the State of Andhra Pradesh.

2. The crime is registered for the offences punishable under Sections 8(c) r/w 20(b)(ii)(c) of the Narcotic Drugs and Psychotropic Substance Act, 1985 (for short 'the Act'), based on the so called seizure from the disclosure of conscious possession of the contraband of ganja and besides the petitioner, there are other accused.

3. A perusal of the material on record no way discloses non-application of Section 37 of the Act for not able to show the twin conditions of reasonable grounds to believe that the accused is not likely to be convicted and he is not likely to commit any offence while on bail, which are the conditions cumulative and needless to say, not alternative.

4. Hence, the Criminal Petition is dismissed without prejudice to the defence. It is needless to say, as per the directions of the Apex Court in Thana Singh v. Central Bureau of Narcotics¹ to speed up the trial of the case by the trial Court.

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

JUSTICE Dr. B.SIVA SANKARA RAO

Date:24.07.2018

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¹ 2013(2) DCR CrI. 280 (SC)