

HON'BLE Dr. JUSTICE B. SIVA SANKARA RAO

CRIMINAL PETITION No.9658 of 2018

ORDER :

Heard learned counsel for the petitioner/A.3 in seeking anticipatory bail and perused the First Information Report, Panchanama, bail application averments and earlier dismissal order of the anticipatory bail in CrI.M.P.No.606 of 2018 by the learned Sessions Judge, Mahabubnagar, dated 23.08.23018.

2. As per the Panchanama, the seized yera contained, from chemical examination, Alprazolam, a psychotropic substance. Leave about once there is a narcotic drug or psychotropic substance involved, the Court without determination of the quantity is commercial or below to that, question of granting bail does not arise, as if it is a commercial quantity, there is a bar from the requirement of satisfying non-application of the twin conditions under Section 37 of the NDPS Act. What the petitioner contends, what the person at the shop produced two licences of two persons owning the shop, for whom he is running, including one of the two persons the petitioner, of he is not able to explain how his original licence went to the custody of the person there, when he failed to explain, the Court cannot consider the bail application.

3. Thereby, the criminal petition is dismissed.

Miscellaneous petitions pending, if any, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

24th September 2018.
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