

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

CRIMINAL PETITION No.10140 of 2018

ORDER:

The petitioner, who is A2 filed the present application under Sections 437 and 439 Cr.P.C. seeking enlargement on bail in Crime No.83 of 2018 of Anakapalli Police Station, Visakhapatnam District, 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')

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

3. The above crime is registered, based on the so called seizure from the disclosure of conscious possession of the contraband of ganja.

4. 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.

5. Hence, the Criminal Petition is dismissed. However, the Police concerned are directed to file charge sheet within two

months from the date of receipt of copy of this order, so that the petitioner can approach the trial Court concerned, to speed up the trial, as per the directions of the Apex Court in *Thana Singh v. Central Bureau of Narcotics*¹.

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

JUSTICE Dr. B.SIVA SANKARA RAO

Date:03.10.2018
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¹ 2013(2) DCR CrI. 280 (SC)