

THE HON'BLE DR.JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.10591 OF 2018

ORDER:

This Criminal Petition, under Sections 437 and 439 of the Code of Criminal Procedure, 1973, is filed by the petitioner/accused No.1, for grant of bail in connection with Crime No.40 of 2018 of Gandepalli Police Station, East Godavari District, registered for the offence punishable under Section 120-B IPC and Section 8 (c) read with 20 (b) (ii) (c) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (' NDPS Act ' for short).

2. Heard the learned counsel for the petitioner/accused No.1, the learned Additional Public Prosecutor representing the respondent-State and perused the record.

3. As per the material placed before this Court, the allegation against the petitioner is that on 20.03.2018, 1500 kgs of Ganja was recovered from the possession of the petitioner/accused No.1 and other accused. The quantity seized is a commercial quantity. The punishment prescribed for the said offence is ten years. There is no record to substantiate that the petitioner is innocent person and falsely implicated in this case. Further, it cannot be held that he would not commit similar offence in future in the event of grant of bail. Therefore, there are no grounds to grant bail to the petitioner.

4. At this stage, learned counsel for the petitioner requested this Court that a direction may be given to the trial Court to dispose of main Sessions Case itself. The High Court issued Circulars from time to time on administrative side to expedite

hearing of the trial of under trial prisoners, which take care of the grievance of the petitioner.

5. Accordingly, the Criminal Petition is dismissed. However, the trial Court shall adhere to the instructions in those circulars and dispose of the main Sessions Case itself.

DR.JUSTICE SHAMEEM AKTHER

OCTOBER 30, 2018

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Date: 30.10.2018

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