

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

CRIMINAL PETITION No.10746 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.38 of 2017 on the file of G.Madugula Police Station, Visakhapatnam District, registered for the offences punishable under Sections 20(b)(ii)(c) r/w 8(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 was 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 and there is nothing to the entitlement of bail but for to direct the learned Special Judge to complete the trial as early as

possible, preferably, within four months from the date of receipt of copy of this order, as per the directions of the Apex Court in *Thana Singh v. Central Bureau of Narcotics*¹.

5. Accordingly, the Criminal Petition is dismissed.

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

JUSTICE Dr. B.SIVA SANKARA RAO

Date: 11.10.2018
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¹ 2013(2) DCR CrI. 280 (SC)