

THE HON'BLE DR.JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.11095 OF 2018

ORDER:

This Criminal Petition, under Sections 437 and 439 of the Code of Criminal Procedure, 1973, is filed by the petitioner/A.5, for grant of bail in Crime Occurrence Report (C.O.R.) No.117 of 2018 of Excise Police Station, Shamshabad, Ranga Reddy District registered for the offence punishable under Section 8(c) read with Section 22(b)(ii) of NDPS Act, 1985.

2. Heard the learned counsel for the petitioner/A.5 and the learned Additional Public Prosecutor representing the respondent-State and perused the record.

3. The learned counsel for the petitioner/A.5 would submit that the petitioner voluntarily surrendered before the police concerned. He is not responsible for the alleged seizure of ganja in the said crime. The petitioner has no connection with the other accused in this case. He is innocent person and falsely implicated in this case and ultimately, prayed to allow the petition.

4. The learned Additional Public Prosecutor opposed the grant of bail to the petitioner/A.5 and contended that the petitioner/A.5 has been indulging in sale and purchase of ganja. There is also another C.O.R.No.255 of 2018 pending against him for similar offences. The petitioner/A.5 and A.6 have employed the other accused in this case to sell ganja and ultimately, prayed to dismiss the petition.

5. The learned counsel for the petitioner/A.5 also submits that the petitioner/A.5 was granted bail in other crime.

6. The material placed on record reveals that on 15.05.2018 at 7:00 P.M. on credible information, the police STF, Hyderabad and

the police Shamshabad have conducted joint raid on the godown situated at Brindavan colony of Laxmiguda, Rajendra Nagar Mandal, Ranga Reddy District. On search, they found A.1 to A.4. After following the due procedure, they seized 66.2 kgs of ganja in separate bags. In the course of investigation, it came to light that the petitioner/A.5 along with A.6 was indulging in purchase and sale of ganja. The other accused are employed by the petitioner/A.5 and A.6 to sell the ganja to the college youth and auto drivers making small packets weighing 10 grams, etc., for the price of Rs.100/- or above. In view of the nature of the allegations and the material collected against the petitioner/A.5, grant of bail in other crime would not entitled him to seek bail in this crime. There are specific and grave allegations. The seized quantity of ganja is 66.2 kgs. Investigation is in progress. Release of the petitioner would hinder the investigation and there is possibility of peititoner/A.5 winning over the witnesses and tampering the record. There are no justifiable grounds to allow the petition.

7. In the result, the Criminal Petition is dismissed.

Miscellaneous petitions, if any, pending in this Criminal Petition, shall stand closed.

DR. SHAMEEM AKTHER, J

Date: 24.10.2018
ssp