

THE HON'BLE DR.JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.1123 OF 2019

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by the petitioner/accused, for grant of anticipatory bail in Crime No.53 of 2018 of Prohibition & Excise Police Station, Narayankhed, Medak District, registered for the offence punishable under Section 8(c) read with Section 20(b)(ii)(c) of Narcotic Drugs and Psychotropic Substances Act, 1985.

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

3. Learned counsel for the petitioner/accused would contend that the petitioner is aged above 70 years and is falsely implicated in this case. There is no possibility of transporting 68 kgs of ganja by TVSXL Moped and ultimately, prayed to allow the petition.

4. Learned Additional Public Prosecutor opposed the grant of bail to the petitioner/accused and ultimately prayed to dismiss the petition.

5. As per the record, particularly, the seizure panchanama conducted by the police on 22.04.2018, 68 kgs of ganja was seized from the possession of petitioner/accused when he was transporting the same by TVS XL Moped bearing No.TS15-EP 0758, in the presence of witnesses. There is no reason for the police to

falsely implicate the petitioner/accused in the offence of this nature. The ganja seized is of commercial quantity. The investigation is in progress. The release of petitioner/accused at this stage would hinder the investigation.

6. Under these circumstances, the Criminal Petition is dismissed.

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

DR. SHAMEEM AKTHER, J

Date: 05.03.2019
ssp

