

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT
HYDERABAD

WEDNESDAY, THE TWENTY FOURTH DAY OF APRIL
TWO THOUSAND AND NINETEEN

:PRESENT:

THE HONOURABLE SRI JUSTICE SANJAY KUMAR
CRIMINAL PETITION NO: 2064 OF 2019



Between:

Kovasi Sona, S/o. Unga,

Petitioner/Accused No.2

AND

The State of Telangana, Rep. by its Public Prosecutor High Court at
Hyderabad

Respondent/Complainant

Petition under Section 437 and 439 of Cr.P.C, praying that in the
circumstances stated in the affidavit filed in support of the Criminal Petition,
the High Court may be pleased to enlarge the Petitioner/Accused No. 02 on
bail in Crime No. 62/2019 Bhadrachalam Town Police Station dated.
24.03.2019.

The petition coming on for hearing, upon perusing the Petition and
the affidavit filed in support thereof upon hearing the arguments of
SRI N MURALI MANOHAR REDDY Advocate for the Petitioner and the
PUBLIC PROSECUTOR for the Respondent, the Court made the following.

ORDER:

HONOURABLE SRI JUSTICE SANJAY KUMAR

CRIMINAL PETITION No.2064 OF 2019

ORDER:

The petitioner is A.2 in Crime No.62 of 2019 registered on the file of Bhadrachalam Town Police Station, under Section 8(C) read with Section 20(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985. By way of this petition, he seeks regular bail under Sections 437 and 439 Cr.P.C.

Learned Assistant Public Prosecutor, State of Telangana, would inform this Court that the investigation has been completed substantially and the FSL report is awaited. The remand report shows that the petitioner-A.2 was found in possession of about 18.400 kgs of dry ganja and A.1 to A.4 who were travelling separately by the same bus were carrying a separate quantity and in all the dry ganja seized from all of them aggregated to 63.400 kgs.

Sri N. Murali Manohar Reddy, learned counsel for the petitioner-A.2, would assert that the petitioner-A.2 and the other accused had nothing to do with each other and that the mere factum of their travelling by the same bus resulted in a joint case being instituted against them. He would therefore assert that the petitioner-A.2 is entitled to be enlarged on bail as he has been in prison since 24.3.2019.

Learned Assistant Public Prosecutor would point out that the petitioner-A.2 is from the State of Odisha and that it would be difficult for the police to ascertain his whereabouts.

Giving the aforesaid circumstances, this Court is of the opinion that the petitioner-A.2 can be enlarged on bail on conditions.

The petitioner-A.2 is directed to be enlarged on bail upon his furnishing a personal bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) to the satisfaction of the learned Judicial First Class Magistrate, Bhadrachalam. As the learned Assistant Public Prosecutor would voice the apprehension that the petitioner-A.2 may abscond as he does not belong to

this State, the petitioner-A.2 shall furnish two sureties for a sum of Rs.10,000/- (Rupees Ten Thousand only) each, one being a local surety and the other a native surety from his village in the State of Odisha, to the satisfaction of the learned Judicial First Class Magistrate at Bhadrachalam. Further, to ensure that he keeps the police informed about his whereabouts, the petitioner-A.2 shall report before the Station House Officer, Bhadrachalam Town Police Station, on every Sunday between 10.00 AM and 11.00 AM until completion of the trial.

The criminal petition is accordingly allowed.

//TRUE COPY//

Sd/- T.KRISHNA KUMAR
ASSISTANT REGISTRAR

For ASSISTANT REGISTRAR

To,

1. The Special Sessions Judge for Trial of Cases Under NDPS Act cum I Additional Sessions Judge, Khammam.
2. The Judicial First Class Magistrate, Bhadrachalam.
3. The Superintendent District Jail, Khammam
4. The Station House Officer, Bhadrachalam, Town PS., Khammam District.
5. One CC to SRI. N MURALI MANOHAR REDDY Advocate [OPUC]
6. Two CCs to PUBLIC PROSECUTOR, High Court at Hyderabad. [OUT]
7. One Spare Copy

GR

HIGH COURT

SKJ

DATED:24/04/2019

ORDER

CRLP.No.2064 of 2019

BAIL

