

HON'BLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.3391 of 2019

ORDER :

The petitioner, who is Accused No.1, has filed the present application under Sections 437 and 439 of Cr.P.C., seeking enlargement on bail in Crime No.21 of 2019 of Bhadrachalam Police Station, Bhadrachalam, Khammam District, registered for the offences punishable under Sections 8(c) r/w. Section 20(b) of NDPS Act, 1985 and Section 506 of IPC.

According to the case of prosecution, while the Station House Officer, Bhadrachalam Town Police Station, along with Forest Excise staff, conducting vehicle checking at Bridge Point, near Forest Check Post, Bhadrachalam, and when they tried to stop one Bolero Pickup FB vehicle bearing No.OD30A 9600 coming from Odissa State to go to Hyderabad, the vehicle driver did not stop, then the police personnel chased and caught hold of the driver and on cheking, they found Ganja and on interrogation, the driver of the said vehicle admitted the guilt of offence and on requisition to the Tahsildar, Bhadrachalam Mandal, the confession statement of the petitioner/accused before the mediators was recorded and Ganja weighing about 526 Kgs, 400 gms was recovered from the possession of the petitioner under the cover of panchanama along with the vehicle and Crime No.21 of 2019

for the aforesaid offences was registered against the petitioner and other accused.

Heard learned counsel for the petitioner/A.1 and the learned Additional Public Prosecutor appearing for the respondent State. Perused the material on record.

Learned counsel for petitioner contends that the petitioner denies all the allegations levelled against him and that the petitioner is no way concerned with the aforesaid offences and he is a daily wage earner and he is the only earning member in the family. It is also contended that investigation in the above crime has already been completed and awaiting for FSL Report. It is contended that the petitioner is in judicial custody since 06.02.2019 and that the petitioner is ready to abide by any conditions imposed by this Court for his release on bail in the above crime.

On the other hand, the learned Additional Public Prosecutor vehemently opposed the bail application stating that huge quantity of ganja weighing about 526 Kgs, 400 gms has been recovered from the possession of the petitioner and other accused and that the other accused are absconding. It is also contended that investigation in the above crime is still going on and hence the petitioner is not entitled for grant of bail.

As seen from the contents of the complaint petition, huge quantity of Ganja weighing about 526 Kgs, 400 gms has

been recovered from the possession of the petitioner and other accused and investigation in the above crime is not yet completed. Thus, considering the gravity of offences and the nature of allegations levelled against the petitioner/A.1, I am not inclined to release the petitioner/A.1 on bail, at this stage.

Accordingly, this Criminal Petition is dismissed.

As a sequel, miscellaneous applications pending, if any, shall stand closed.

30.07.2019.
Msr

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