

HON'BLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.4790 of 2019

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973 is filed by the petitioner, who is A.2, for grant of anticipatory bail in the event of his arrest in Crime No.228 of 2018 of Langer House Police Station, Hyderabad, Hyderabad District, registered for the offences punishable under Section 8(c) r/w. Section 20(b)(ii)(B) of NDPS Act, 1985.

As per the case of the prosecution, the petitioner along with A.1 is doing illegal sale of ganja on a motor bike and basing on the confessional statement of A.1, the petitioner's name was added as A.2 in the above Crime No.228 of 2018.

Heard learned counsel for the petitioner/A.2 and the learned Additional Public Prosecutor appearing for the respondent State. Perused the material on record.

Learned counsel for the petitioner contends that the allegations made against the petitioner are false and baseless and the petitioner has been implicated in the above crime only basing on the confessional statement of A.1. It is contended that the petitioner was neither in possession of any contraband nor he handed over any contraband to A.1 for sale. It is also contended that entire investigation in the above crime has already been completed and waiting for FSL Report and the petitioner is ready to abide by any conditions

imposed by this Court, including assisting the investigating agency for his release on anticipatory bail in the event of his arrest in the above crime.

On the other hand, the learned Additional Public Prosecutor opposed the relief sought in the above petition.

Keeping in view of the specific nature of allegations levelled against the petitioner and gravity of offence, I am not inclined to grant anticipatory bail to the petitioner. However, if the petitioner/A.2 surrenders before the Court below concerned and moves an application for regular bail, after giving prior notice to the Public Prosecutor concerned, the said application may be considered in accordance with law.

With the above observations, this Criminal Petition is dismissed.

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

JUSTICE G. SRI DEVI

14.08.2019.
Msr

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Msr