

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

**MONDAY, THE SECOND DAY OF DECEMBER
TWO THOUSAND AND NINETEEN**

:PRESENT:

**THE HONOURABLE JUSTICE G SRI DEVI
CRIMINAL PETITION NO: 7373 OF 2019**

Between:

1. Manoj Raj Tarate, S/o. Raju Tarate,
2. Raju Chandrabhan Sangale, S/o. Chandrabhan,

Petitioner/Accused No.1&3

AND

1. The State of Telangana, Through P.S. Proh and Excise Zaheerabad
Rep. by Public Prosecutor, High Court at Hyderabad.

Respondent/Complainant

Petition under Section 437 & 439 of Cr.P.C, praying that in the circumstances stated in the grounds filed in support of the Criminal Petition, the High Court may be pleased to release the Petitioners/Accused No. 1 and 3 on bail in connection with the Crime No. 137 of 2019, dt. 20-08-2019 on the file of Proh. and Excise Police Zaheerabad in the interest of justice

The petition coming on for hearing, upon perusing the Petition and the grounds filed in support thereof upon hearing the arguments of SRI PALLE SRIHARINATH Advocate for the Petitioner and the ADDITIONAL PUBLIC PROSECUTOR for the Respondent, the Court made the following.

ORDER:

HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION NO.7373 OF 2019

ORDER:

The petitioners/A-1 and A-3 filed the present Criminal Petition under Sections 437 and 439 of the Code of Criminal Procedure seeking to grant bail to them in Crime No.137 of 2019 of P.S. Prohibition & Excise, Zaheerabad, which was registered for the offence punishable under Sections 8(C) read with 20(b)(ii) of the NDPS Act, 1985.

The allegation against the petitioners/A-1 and A-3 is that on 20.08.2019, on receipt of reliable information the Prohibition & Excise Police, Zaheerabad conducted route-watch at Koheer x road, NH.No.65, Koheer Mandal, Sangareddy District along with enforcement Medak and STF party found one vehicle coming in suspicious circumstances, they intercepted the vehicle i.e. Honda City Car bearing No.MH-12-DS-9007 and found 78 kgs of dry ganja and draw 39 blue colour plastic cover bags, drawn 2 samples of 100 grams of dry ganja each 50 grams and three Aadhar Cards of accused persons and one car, on that they were arrested.

Learned Additional Public Prosecutor opposed to grant bail to the petitioners/A-1 and A-3.

It has been submitted by the counsel for the petitioners/A-1 and A-3 that the investigating agency did not follow the mandatory provisions of the NDPS Act. The complainant falsely implicated the petitioners with false allegations. The petitioners are no way concerned with the alleged contraband. They were arrested on

20.08.2019 and since then, they were in jail. The petitioners are permanent residents of Kada Village, Asthi Taluk, Beed District, Maharashtra State and they are ready to furnish local sureties. They hail from respectable lower middle class family without any questionable antecedents whatsoever in nature. The petitioners are nothing to do with the alleged contraband seized by the police. The petitioners/A-1 and A-3 are law-abiding citizens and are the permanent residents of the addresses mentioned in the cause title and they are ready to abide by any condition that may be imposed by this Court in the event of their enlargement on bail and they will not misuse their freedom and prayed to enlarge them on bail.

Looking into the facts and circumstances of the case and taking into consideration the gravity of the offence alleged, I am inclined to grant bail to the petitioners/A-1 and A-3.

The Criminal Petition is allowed and the petitioners/A-1 and A-3 shall be released on bail on the following terms and conditions:

- (i) That the petitioners/A-1 and A-3 shall execute a personal bond for Rs.15,000/- (Rupees fifteen thousand only) each with two sureties for a like sum each to the satisfaction of the 1 Additional District & Sessions Judge at Sangareddy. It is made clear that out of the two sureties, one surety must be from the native place of each of the petitioners.
- (ii) that the petitioners/A-1 and A-3 shall not indulge in any similar type of activities, in future;
- (iii) that the petitioners/A-1 and A-3 shall not tamper with the prosecution witnesses;
- (iv) that the petitioners/A-1 and A-3 shall co-operate with the investigating agency.
- (v) that the petitioners/A-1 and A-3 shall not misuse the liberty granted to them.

- (vi) that the petitioners/A-1 and A-3 shall appear before the Court concerned personally on each date of hearing till conclusion of trial.

Miscellaneous applications pending, if any, shall stand closed.

SD/- K. PRABHAKAR
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. 1 Additional District & Session Judge at Sangareddy District.
2. The Superintendent District Prison at Sangareddy, Sangareddy District.
3. One CC to SRI, PALLE SRIHARINATH Advocate [OPUC]
4. Two CCs to PUBLIC PROSECUTOR, High Court at Hyderabad. [OUT]
5. One Spare Copy

GR

HIGH COURT

GSDJ

DATED:02/12/2019

ORDER

CRLP.No.7373 of 2019

BAIL

