

THE HON'BLE SRI JUSTICE T.AMARNATH GOUD

CRIMINAL PETITION No.7712 OF 2019

ORDER:

The petitioner, who is accused No.4, filed the present application under Sections 437 and 439 of Criminal Procedure Code 1973, seeking to grant bail to him in Crime No.244 of 2019 of Utnoor Police Station, Adilabad, which was registered for the offence punishable under Section 8 (c) read with 20 (b) (ii) (c) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, 'NDPS Act').

2. The allegations levelled against the petitioner/A-4 are that on 03.11.2019 at 10.00 hours at Forest check post of Kothaguda Village, A-1 to A-4 were apprehended while they were in illegal possession and transporting dry ganja in the Skoda Car bearing No.MH-12-GV-0632 and Swift Dzire Tour Car bearing No.TS-09-UA-1735 and to sell it for higher price at Maharashtra and other States and on interrogation they confessed that they are carrying ganja from Sileru of Andhra Pradesh to Maharashtra State.

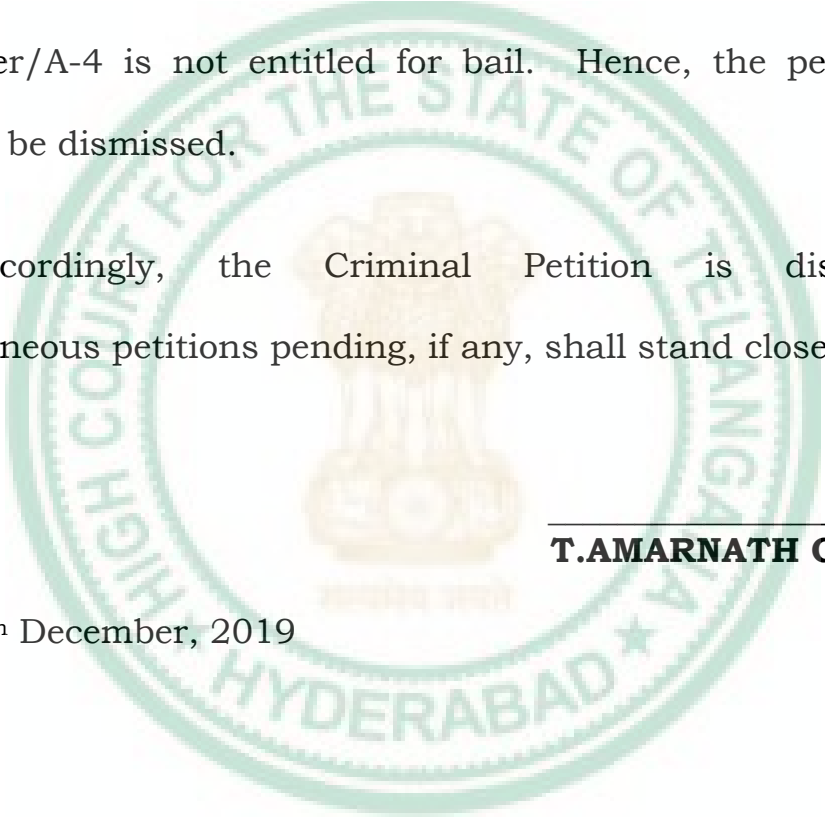
3. Heard the learned counsel for the petitioner/accused No.4 and the learned Additional Public Prosecutor appearing for the respondent-State.

4. Learned counsel for the petitioner/accused No.4 would submit that the petitioner has been falsely implicated in this

case; that the petitioner is in judicial custody since 03.11.2019; that no contraband is seized from the possession of the petitioner and hence, he prays to grant bail to the petitioner/A-4.

5. As seen from the record, since the investigation is still pending and since allegations levelled against the petitioner/A-4 are grave in nature and the seized ganja is of commercial quantity, in the considered opinion of this Court, the petitioner/A-4 is not entitled for bail. Hence, the petition is liable to be dismissed.

6. Accordingly, the Criminal Petition is dismissed. Miscellaneous petitions pending, if any, shall stand closed.



T.AMARNATH GOUD, J

Date: 5th December, 2019

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