

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

**FRIDAY, THE TENTH DAY OF JANUARY
TWO THOUSAND AND TWENTY**

**:PRESENT:
THE HON'BLE JUSTICE G.SRI DEVI**

CRIMINAL PETITION NO: 104 OF 2020

Between:

Yashpal Singh @ Pappu, S/o. Late Shivalal Singh,

Petitioner/Accused No.2

AND

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

Respondent/Complainant

Petition under Sections 437 & 439 of Cr.P.C, praying that in the circumstances stated in the petition and the grounds filed therein, the High Court may be pleased to release the petitioner on bail in Crime No. 237 of 2019 on the file of Shah Inayathgunj Police Station, Hyderabad;

Counsel for the Petitioner : SRI A.PRABHAKAR RAO

Counsel for the Respondent : ADDL. PUBLIC PROSECUTOR

The Court made the following;

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.104 of 2020

ORDER:

This Criminal Petition, under Sections 437 and 439 of the Code of Criminal Procedure, 1973, is filed by the petitioner/accused No.2 seeking to grant bail in Crime No.237 of 2019 on the file of Shah Inayathgunj Police Station, Hyderabad, registered for the offence punishable under Section 8(c) read with Section 20(b)(ii)(B) of the NDPS Act.

2. Heard learned counsel for the petitioner, learned Additional Public Prosecutor appearing for the respondent-State and perused the record.

3. The case of the prosecution in brief is that on 09.12.2019 at about 10.15 am on credible information, the Police of Shah Inayathgunj Police Station detected a case of illegal possession and sale of dry ganja beside Shiva Lal Pan Shop, Jumnerath bazaar and that on seeing the Police, the accused tried to escape, but the Police apprehended them and seized 6 kgs of dry ganja from the possession of the petitioner-accused No.2 and 2 kgs of ganja from the possession of accused No.3 under the cover of panchanama and arrested them.

4. Learned counsel for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution much less the offence with which he was charged; and that the Police has shown a false recovery of ganja from the possession of the petitioner and has falsely implicated him in the aforesaid crime. Learned counsel further submitted that all the

witnesses were examined by the Police and the investigation is almost completed. Hence, he prays to enlarge the petitioner on bail.

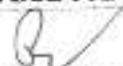
5. The quantity of ganja alleged to have been recovered from the possession of the petitioner-accused No.2 is 6 kgs, which is less than the commercial quantity and the petitioner has been in custody since 10.12.2019. Further, the investigation in the aforesaid crime is said to have been almost completed.

6. In the light of the above, the Criminal Petition is allowed. The petitioner is directed to be released on bail on his furnishing a personal bond to the tune of Rs.15,0000/- (Rupees Fifteen thousand only) with two sureties to the like amount each to the satisfaction of the learned I Additional Metropolitan Sessions Judge, Nampally, Hyderabad. The petitioner shall not tamper with the prosecution witnesses and shall co-operate with the investigating agency and he shall not misuse the liberty granted to him. Further, the petitioner shall not indulge in similar activities in future.

7. Miscellaneous applications, if any pending in this criminal petition, shall stand closed.

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SD/- CH. VENKATESWARLU
ASSISTANT REGISTRAR


SECTION OFFICER

To,

1. The I Addl. Metropolitan Sessions Judge, Hyderabad.
2. The XVI Addl. Chief Metropolitan Magistrate, Hyderabad.
3. The Station House Officer, Shah Inayathgunj Police Station, Hyderabad.
4. The Superintendent, Chenchalguda Central Jail, Hyderabad.
5. Two CCs to Public Prosecutor, High Court of Telangana, at Hyderabad (OUT)
6. one CC to Sri A.Prabhakar Rao, Advocate (OPUC)
7. one Spare Copy

HIGH COURT

GSD,J

DATE: 10-1-2020

ORDER

CRL.P. NO. 104 OF 2020

BAIL

