

IN THE HIGH COURT FOR THE STATE OF TELANGANA
TUESDAY, THE THIRD DAY OF MARCH TWO THOUSAND AND TWENTY
:PRESENT:
THE HONOURABLE JUSTICE G SRI DEVI
CRIMINAL PETITION NO: 1311 OF 2020

Between:

Md. Yakub Pahsa, S/o Afsar

Petitioner/Accused

AND

The State of Telangana, Represented by its 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 affidavit filed in support of the Criminal Petition, the High Court may be pleased to enlarge the Petitioner/Accused on bail in connection with crime No. 14/2020 on the file of P.S. Kamalapur, during the pendency of inquiry and trial

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of B SHESHU KUMAR Advocate for the Petitioner, THE PUBLIC PROSECUTOR (TG) for the Respondent and the Court made the following.

ORDER

HONOURABLE JUSTICE G. SRI DEVI
CRIMINAL PETITION No.1311 of 2020

ORDER:

The petitioner-accused filed the present application under Sections 437 and 439 of the Code of Criminal Procedure, seeking to grant bail to him in Cr.No.14 of 2020 on the file of Kamalapur Police Station, Warangal Commissionerate, registered for the offence under Section 8(c) read with Section 20(b) (ii)(B) of NDPS Act.

2. The case of the prosecution is that on 31.01.2020 at 12 hours, the Sub-Inspector of Police along with his staff was conducting vehicle checking and stopped the auto rickshaw bearing registration No.AP 15 X 0288 of the accused and on interrogation, he disclosed his name and that 2 kgs 200 gms of dry ganja was found in plastic bag and the same was seized and the same was said to have been purchased from an unknown person in the passenger train while travelling at Uppal Railway station.

3. Learned counsel for the petitioner submitted that the petitioner, the sole accused, has been in custody since 01.2.2020 ; that the contraband said to have been recovered from the possession of the petitioner is shown as 2 kgs 200 gms which is much lesser than the commercial quantity; and that the entire investigation is completed. Learned counsel further submitted that the petitioner is the sole bread winner of his family and has small children and aged parents and he has to look after them; that he is a permanent resident of Uppal Village and that he is ready to abide

by any conditions that may be imposed by this Court in the event of his enlargement on bail.

4. Learned Additional Public Prosecutor vehemently opposed to grant bail to the petitioner.

5. Looking into the nature of allegations levelled against the petitioner/accused and as the alleged ganja recovered from the possession of the petitioner is much lesser than the commercial quantity, I am inclined to grant bail to him on certain terms and conditions.

6. The Criminal Petition is accordingly allowed subject to the following terms and conditions:

- (i) the petitioner-accused shall be released on bail on his executing a personal bond for a sum of Rs.10,000/- (Rupees Ten thousand only) with two sureties for a like sum each to the satisfaction of the learned I Additional District and Sessions Judge, Karimnagar.
- (ii) that the petitioner shall not indulge in any similar type of activities in future;
- (iii) that the petitioner shall not tamper with the prosecution witnesses;
- (iv) that the petitioner shall co-operate with the investigating agency.
- (v) that the petitioner shall not misuse the liberty granted to him.

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

SD/- CH. VENKATESHWAR
ASSISTANT REGISTRAR

For ASSISTANT REGISTRAR
AR

//TRUE COPY//

To,

1. The I Additional District and Sessions Judge at Karimanagar
2. The Superintendent, District Jail, Karimanagar
3. The Station House Officer Kamalapur Police Station, Karimanagar
4. One CC to SRI. B SHESHU KUMAR Advocate [OPUC]
5. Two CC's to Public Prosecutor, High Court for the State of Telangana at Hyderabad (OUT)
6. One spare copy

Avs

HIGH COURT

GSDJ

DATED:03/03/2020

ORDER

CRLP.No.1311 of 2020



BAIL

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