IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

FRIDAY ,THE EIGHTEENTH DAY OF DECEMBER TWO THOUSAND AND TWENTY

:PRESENT:

THE HONOURABLE SRI JUSTICE K.LAKSHMAN

CRIMINAL PETITION NO: 6287 OF 2020

Between:

1. YOGESH KUMAR, S/o. Suresh Kumar,
2. HASAM ALI, S/o. Himath Ali,

Petitioners/Accused 1 & 2

AND

The State of Telengana, Represented by Public Prosecutor Through Ps. Bhadrachalam Town

Respondent/Complainant

Petition under Sections 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 enlarge the petitioners/Accused No1 and 2 on bail in Crime No.327 of 2020 in P.S.Bhadrachalam;

The petition coming on for hearing, upon perusing the Petition and the grounds filed in support thereof and upon hearing the arguments of MOHD ABDUL SAMAD Advocate for the Petitioners and ASSISTANT PUBLIC PROSECUTOR for the Respondent, the Court made the following.

ORDER:

HONOURABLE SRI JUSTICE K. LAKSHMAN

CRIMINAL PETITION No.6287 OF 2020

ORDER:

This is an application for regular bail. The petitioners herein - accused Nos.1 and 2 seek bail in Crime No.327 of 2020 pending on the file of the learned Judicial Magistrate of First Class, Bhadrachalam. The offence alleged against the petitioners is under Section 8(c) read with Section 20(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

2. Heard Sri Mohd. Abdul Samad, learned counsel for the petitioners - accused Nos.1 and 2, and learned Assistant Public Prosecutor for the State. Perused the record.

3. 82.550 Kgs. of dry *ganza* was seized from the possession of the petitioners herein. The police have arrested the petitioners on 06.09.2020 and since then they are in jail. The investigating officer has recorded statements of seven (7) witnesses including material witnesses. Forensic Science Laboratory Report is awaited.

4. The learned Assistant Public Prosecutor strongly opposed the bail application on the ground that the petitioners herein belong to Harayana State.

5. Considering the above aspects, more particularly, the aspect that the investigating officer has recorded statements of seven witnesses including material witnesses and the investigation is almost

completed except receipt of Forensic Science Laboratory Report and filing of charge sheet, this Court is inclined to grant regular bail to the petitioners herein.

6. Therefore, the Criminal Petition is allowed and the petitioners are granted bail subject to the following conditions;

(a) the petitioners (accused Nos.1 and 2) shall be released on bail on their executing a personal bond for a sum of Rs.20,000/- (Rupees twenty thousand only) each with two sureties for a like sum each i.e., one from native place of the petitioners and one from the local area to the satisfaction of the learned Special Sessions Judge for trial of cases under the Narcotic Drugs and Psychotropic Substances Act - cum - I Additional Sessions Judge, Khammam;

(b) the petitioners shall appear before the Investigating Officer, Bhadrachalam Town Police Station, Bhadradri Kothagudem District, on every Sunday between 10.00 AM and 5.00 PM, till completion of investigation and filing charge sheet / final report; and

(c) the petitioners shall cooperate with the Investigating Officer.

As a sequel thereto, miscellaneous petitions, if any, pending in the criminal petition stand closed.

SD/- K.VENKAIAH
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Special Sessions Judge for trial of cases under the Narcotic Drugs and Psychotropic Substances Act –cum- I Addl. Sessions Judge, Khammam
2. The Judicial First Class Magistrate, Bhadrachalam.
3. The Superintendent, Sub Jail, Bhadrachalam, Khammam District.
4. The Station House Officer, Bhadrachalam Town Police Station, Bhadradri Kothagudem District.
5. One CC to SRI. MOHD ABDUL SAMAD Advocate [OPUC]
6. Two CCs to the PUBLIC PROSECUTOR , High Court for the State of Telangana, Hyderabad (OUT)
7. One spare copy

HIGH COURT

KL,J

DATED: 18.12.2020

ORDER

CRLP. NO: 6287 of 2020



CRIMINAL PETITION IS ALLOWED