

HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

CRIMINAL PETITION No. 7884 of 2021

ORDER:

This Criminal Petition under Sections 437 and 439 Cr.P.C. is filed by petitioner – Accused No. 3 in Crime No. 24 of 2021 on the file of Kerameri Police Station registered for the offence punishable under Section 20(b)(ii)(c) of Narcotic Drugs and Psychotropic Substances Act, 1985, seeking bail.

2. Prosecution alleges that on 31.05.2021, on credible information, police searched the house of petitioner situated at Savarkeda Village and pursuant to his confession, seized 47.295 kgs. of ganja from his possession.

3. Learned counsel for petitioner Sri A. Sanjeeva Reddy submits that it is alleged that contraband of 53 kgs. was seized in this crime. He submits that already, Accused Nos. 1, 2 and 4 were released on bail and petitioner is languishing in jail for more than 180 days. He further submits that petitioner has no criminal antecedents, hence, his case may be considered for grant of bail.

4. On the other hand, learned Assistant Public Prosecutor submits that as contraband recovered from the possession of other accused is only 2 kgs, this Court considered their bail applications, whereas, from the possession of petitioner, a commercial quantity of 47.292 kgs. was recovered and in view of bar under Section 37 of the NDPS Act, petitioner is not entitled for bail. Further, learned Assistant Public Prosecutor submits that investigation is completed and police have also filed charge-sheet.

5. Taking into consideration the fact that already other accused were enlarged on bail and entire investigation is completed and as there are no criminal antecedents, this Court deems it appropriate to grant bail to this petitioner also.

6. The Criminal Petition is therefore, allowed. Petitioner - Accused No. 3 shall be enlarged on bail in connection with Crime No. 24 of 2021 on the file of P.S. Kerameri, on his executing a personal bond for a sum of Rs.1,00,000/- (Rupees one lac only) with two sureties for a like sum each to the satisfaction of the Special Judge under NDPS Act – cum- I Additional Sessions Judge at Adilabad. Petitioner – Accused No. 3 shall appear before the police till completion of trial on every Sunday between 10.00 a.m. and 1.00 p.m.

LALITHA KANNEGANTI, J

06th December 2021

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