

HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

CRIMINAL PETITION No. 8939 of 2021

ORDER:

This Criminal Petition under Sections 437 and 439 Cr.P.C. is filed by petitioner – Accused No. 1 in Crime No. 563 of 2021 on the file of Sanjeevreddy Nagar Police Station registered for the offence punishable under Section 8(c) read with Section 20(b) of Narcotic Drugs and Psychotropic Substances Act, 1985, seeking bail.

2. Prosecution alleges that on 26.10.2021, at about 16.00 hours, on credible information, at Athidi Inn Hotel, Ammerpet, Sub-Inspector of Police along with staff conducted raid and found petitioner along with other accused in possession of Hashish Oil.

3. Learned counsel for petitioner Sri E. Venkata Reddy, submits that contraband of 850 grams of Hashish Oil was seized in this crime. He submits that even as per the Schedule, 1 kg. is commercial quantity and as contraband seized in this crime from the possession of petitioner is not a commercial quantity and as petitioner was arrested and remanded to judicial custody on 27.10.2021, his case may be considered for grant of bail.

4. On the other hand, learned Assistant Public Prosecutor submits that the petitioner is arrayed as accused in other 8 cases registered for the offences under IPC and they are pending against him. He further submits that two witnesses were examined and FSL report is awaited in this crime. He does not dispute the fact that petitioner has no criminal antecedents under the NDPS Act. However, as investigation is still in progress, learned Assistant Public Prosecutor submits that petitioner is not entitled for bail.

5. Taking into consideration the fact that contraband seized in this crime is only 850 grams, which is not a commercial quantity and as petitioner is languishing in jail since 27.10.2021, and also there is nothing forthcoming to show that petitioner has criminal antecedents, this Court deems it appropriate to grant bail to him.

6. The Criminal Petition is therefore, allowed. Petitioner - Accused No.1 shall be enlarged on bail in connection with Crime No. 563 of 2021 on the file of Sanjeevreddy Nagar Police Station, on his executing a personal bond for a sum of Rs.50,000/- (Rupees fifty thousand only) with two sureties for a like sum each to the satisfaction of the III Additional Chief Metropolitan Magistrate at Hyderabad. Petitioner – Accused No.1 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

8th December 2021

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