

THE HON'BLE SRI JUSTICE M. LAXMAN

CRIMINAL PETITION NO. 9008 OF 2021

ORDER:-

This petition is filed under Sections 437 and 439 of Code of Criminal Procedure, 1973 seeking regular bail to the petitioner/sole accused in connection with Crime No. 112 of 2021 on the file of Prohibition & Excise Station, Khammam I-Town, wherein the petitioner is alleged to have committed the offence punishable under Section 8(c) r/w 20(b)(ii)(c) of NDPS Act.

2. The case of the prosecution is that on 03.11.2021 at about 07:15 a.m., on credible information, the Prohibition and Excise Inspector, Khammam-I, along with staff, conducted a route-watch and raids near the New Bus Stand area, Khammam and found the accused in possession of contraband weighing 11.5 kgs. kept in the polythene cover. The contraband was seized and the petitioner was sent to judicial custody.

3. The learned counsel for the petitioner submits that the quantity of the contraband allegedly found in possession of the petitioner is less than commercial quantity and the petitioner is in judicial custody from 03.11.2021.

4. The learned Public Prosecutor, on the other hand, opposed the request of the petitioner for grant of bail.

5. The fact is that the petitioner is a resident of Madhya Pradesh State and she was found in possession of contraband which is 'intermediate quantity'. In the circumstances, if the petitioner is

enlarged on bail, there is every possibility of her non-availability for conducting further investigation as well as to proceed with the trial. Therefore, at this stage, this Court is not inclined to enlarge the petitioner on bail.

6. In the result, the petition is dismissed.

Consequently, miscellaneous applications pending, if any, shall stand closed.

M. LAXMAN, J

Date :31.12.2021

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