

HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

CRIMINAL PETITION No. 9056 of 2021

ORDER:

This Criminal Petition under Sections 437 and 439 Cr.P.C. is filed by petitioner – Accused No.1 in COR No. 77 of 2021 on the file of P.S. Excise, Sangareddy registered for the offence punishable under Section 8(c) read with Section 22(c) of Narcotic Drugs and Psychotropic Substances Act, 1985, seeking bail.

2. Prosecution alleges that on 02.09.2021, at about 02.30 p.m., on reliable information, Excise Officials raided House No. 9-34, LIG-148, APHB Colony, Phase-I, Pothireddypally and found 150 grams of raw Alprazolam in a Hero Honda Passion Pro vehicle bearing Registration No. AP 28 DL 5758 and another 100 grams raw Alprazolam in white cover and seized the same.

3. Learned counsel for petitioner Sri K. Venu Madhav, drawing attention of this Court to the panchanama, submits that as per the panchanama also, it appears even police are not sure whether said substance is Alprazolam or not and it is stated that the same has been procured from the medical shop in the form of tablets. He submits that petitioner is aged about 60 years and he has been implicated in this case. He further submits that petitioner was arrested and remanded to judicial custody on 03.09.2021 and since then, he has been languishing in jail, hence, his case may be considered for grant of bail.

4. On the other hand, learned Assistant Public Prosecutor submits that so far two witnesses were examined and FSL report is awaited. He submits that at this stage, as

investigation is still pending, petitioner is not entitled for grant of bail.

5. Taking into consideration the panchanama, whereunder prosecution itself has a doubt whether the contraband seized is Alprazolam or not and further, as nothing is forthcoming to show that petitioner has any 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 COR No. 77 of 2021 on the file of P.S. Excise Sangareddy 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 Additional Judicial First Class Magistrate at Sangareddy. Petitioner – Accused No. 1 shall appear before the police concerned on every Sunday between 10.00 a.m. and 2.00 P.M. till completion of trial.

LALITHA KANNEGANTI, J

10th December 2021

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