

HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

CRIMINAL PETITION No.9394 of 2021

O R D E R:

This Criminal Petition under Sections 437 and 439 Cr.P.C. is filed by petitioner – Accused No.4 in Crime No.32 of 2021 on the file of Nagaram Police Station, registered for the offence punishable under Section 8 (c) r/w 20 (b) (ii) (C) of the Narcotic Drugs And Psychotropic Substances Act, 1985 (for short “NDPS Act”), seeking bail.

2. The case of the prosecution is that on 06.02.2020 the Sub Inspector of Police, PS Nagaram on credible information about transportation of Ganja, conducted search of a Swift Dzire Car bearing No.AP 36 AE 6677, which is parked near the house of A-1 and found 50 Ganja packets, weighing 113 KGs in the car dickey and he seized the same under the cover of panchanama and arrested A-1 to A-3. Basing on the same, the above crime was registered. Basing on the confession of A-1 to A-3 that petitioner is the main organizer and supplying Ganja, he was arrayed as A-4.

3. Heard Sri Duvvuri Suryanarayana, learned counsel for petitioner and learned Assistant Public Prosecutor for respondent-State.

4. Learned counsel for the petitioner submits that this Court by order dated 29.07.2021 in CrI.P.No.5098 of 2021 has granted bail to A-2 by placing reliance on the judgment of the Hon'ble Apex Court in **Sheru Vs. Narcotics Control Bureau**¹, as such the petitioner may be enlarged on bail on the same grounds. He

¹ CrI.A.Nos.585 and 586 of 2020 dated 11.09.2020

submits that petitioner is arrayed as A-4 and he was arrested on 14.08.2021 and since then, he is languishing in jail.

5. Learned Assistant Public Prosecutor submits that charge sheet is already filed in this case.

6. In the light of orders passed by this Court in CrI.P.No.5098 of 2021 dated 29.07.2021, this Court deems it appropriate to enlarge the petitioner on bail, on the same terms and conditions imposed in the said order.

7. Accordingly, this Criminal Petition is allowed on the same terms and conditions imposed by this Court in CrI.P.No.5098 of 2021 dated 29.07.2021.

LALITHA KANNEGANTI, J

17th December 2021

PVD

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Allowed

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PVD