

HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

CRIMINAL PETITION No. 9427 of 2021

ORDER:

This Criminal Petition under Sections 437 and 439 Cr.P.C. is filed by petitioners – Accused Nos.1 to 3 in Crime No. 287 of 2021 on the file of Chityala Police Station registered for the offence punishable under Section 20(b)(ii)(A) of Narcotic Drugs and Psychotropic Substances Act, seeking bail.

2. The case of prosecution is that on 30.09.2021 at 08.00 hours, police, on receipt of credible information, proceeded towards Railway Station, Chityala and apprehended three persons and found about 8 dry ganja packets in three bags, weighing approximately 16 kgs. It is alleged that on enquiry, they revealed that all the accused with an intention to earn money easily, are selling as well as transporting dry ganja.

3. This Court, by order dated 21.12.2021, while granting bail in respect of Accused No.3, dismissed the Petition as far as Accused No.2 is concerned and directed to list the Criminal Petition as against Accused No.1 on 28.12.2021.

4. Learned counsel for petitioner – Accused No.1 Sri M.A.K. Mukheed submits that petitioner – Accused No.1 has been languishing in jail since 30.09.2021. He further submits that by order dated 21.12.2021, this Court granted bail to Accused No.3. According to the learned counsel, as the contraband seized is not commercial quantity, case of petitioner – Accused No.1 may also be considered for grant of bail.

5. Learned Assistant Public Prosecutor does not dispute the fact that petitioner No. 1 – Accused No.1 has no criminal antecedents.

6. Taking into consideration the fact that contraband seized is 16 kgs. which is not a commercial quantity and as nothing is forthcoming to show that Accused No.1 has criminal antecedents, this Court deems it appropriate to grant him bail.

7. The Criminal Petition in respect of petitioner – Accused No.1 is allowed. Accused No.1 shall be enlarged on bail in connection with Crime No. 287 of 2021 on the file of Chityala 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 Principal Judicial First Class Magistrate at Ramannapet.

LALITHA KANNEGANTI, J

04th January 2022

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