

HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

CRIMINAL PETITION No. 9429 of 2021

ORDER:

This Criminal Petition under Sections 437 and 439 Cr.P.C. is filed by petitioners – Accused Nos. 1 and 2 in Crime No. 181 of 2021 on the file of Mothey Police Station, registered for the offence punishable under Section 20(b)(ii)(B) of Narcotic Drugs and Psychotropic Substances Act, 1985, seeking bail.

2. The case of prosecution is that on 05.10.2021, on reliable information, police party rushed to Mothey Bus Stand and found three persons ie. accused in this crime, who, on seeing them, tried to escape, but police chased and caught hold of them and seized three bags containing 15 ½ kgs. ganja and three mobile phones.

3. Learned counsel for petitioners Sri M.A.K. Mukheed submits that it is alleged that contraband of 15 ½ kgs. is seized in this crime and petitioners were arrested and remanded to judicial custody on 05.10.2021 and since then, they have been languishing in jail. He submits that as the contraband that is seized from the possession of petitioners is not commercial quantity and as petitioners have no criminal antecedents, their case may be considered for grant of bail.

4. Learned Assistant Public Prosecutor also does not dispute the fact that petitioners have no criminal antecedents.

5. Taking into consideration the fact that contraband seized in this crime is not a commercial quantity and further nothing is forthcoming to show that petitioners are habitual

offenders, this Court deems it appropriate to grant bail to them, however, on certain conditions.

6. The Criminal Petition is therefore, allowed. Petitioners – Accused Nos. 1 and 2 shall be enlarged on bail in connection with Crime No. 181 of 2021 on the file of Mothey Police Station on each of them 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, Suryapet. Petitioners – Accused Nos. 1 and 2 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

21st December 2021

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