

THE HON'BLE SRI JUSTICE M. LAXMAN

CRIMINAL PETITION NO.10022 of 2021

ORDER:

This petition is filed under Sections 437 and 439 of Code of Criminal Procedure, 1973, seeking regular bail to the petitioner/A-8 in connection with Crime No.255 of 2018 on the file of Prohibition and Excise Police Station, Dhoolpet, Hyderabad, wherein the petitioner, along with other accused, is alleged to have committed the offences punishable under Section 8(c) r/w 20(b)(ii)(c) of NDPS Act, 1985.

2. The case of the prosecution is that on prior information, on 01.07.2018, while the police was conducting check, they found A1 was coming on two wheeler from Dhoolpet towards Langar house, and on search, they seized 1.400 grams of dry ganja from his possession, and on interrogation, he revealed that he purchased ganja from A3, and thereafter, the police raided the house of A2 and A3 and found 20.5 kgs of dry ganja, in total, they have seized 22 kgs of ganja. On further interrogation, all the accused alleged to have stated that they have sold the ganja to the present petitioner/A8, who is a retailer.

3. Learned counsel for the petitioner submits that the other accused have already enlarged on bail, and in the present case, except the confession of A1 to A3, there is no other material to implicate the present petitioner.

4. The learned Assistant Public Prosecutor opposed the request of the petitioner for grant of bail.

5. As seen from the investigation, the police have not made any search operation in the premises of the present petitioner in consequence of the

alleged confession of A1 to A3. No reasons have assigned. Except confession, there is no other material to link the present petitioner in the crime and there is a chance of his success in the present case in the ultimate proceedings. Therefore, his request for grant of regular bail can be considered by imposing certain conditions.

6. In the result, the petition is allowed and the petitioner/A-8 shall be enlarged on bail on his executing a personal bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) with two sureties for a like sum each to the satisfaction of the I Additional Chief Metropolitan Magistrate, Nampally, Hyderabad. On such release, the petitioner shall appear before the Station House Officer, Prohibition and Excise Station, Dhoolpet, Hyderabad, on every Sunday between 06:00 a.m. to 06:00 p.m. for a period of three months from today.

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

31st December, 2021

sj

M. LAXMAN, J

THE HON'BLE SRI JUSTICE M. LAXMAN

CRIMINAL PETITION NO.10012 of 2021

DATE: 31-12-2021

sj