

**THE HON'BLE SRI JUSTICE M. LAXMAN**

**CRIMINAL PETITION NO.10012 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-2 in connection with Crime No.30 of 2021 on the file of Dammapeta Police Station, Bhadradri-Kothagudem District, wherein the petitioner, along with other accused, is alleged to have committed the offences punishable under Section 8(c) r/w 20(b) of NDPS Act, 1985.

2. The case of the prosecution is that the petitioner/A2 is brother-in-law of A1, who was a driver and running transport business. On account of loss in his business, A1 is dealing with ganja business and he used to purchase ganja from East Godavari District and other areas of Orissa State and supplied to various required persons in Warangal and other areas. A2 was also assisting him. In the present case, while a check was conducted, the police found the driver, who is trying to escape leaving the vehicle, and they found the tipper containing 986.5 kgs of ganja, and the same was seized and subsequently, based on the confession of A1, the present petitioner was arrested.

3. Learned counsel for the petitioner submits that A1 was already enlarged on statutory bail and there is no evidence of direct involvement of the petitioner, except confession.

4. The learned Assistant Public Prosecutor opposed the request of the petitioner for grant of bail contending that the contraband is a commercial quantity.

5. As seen from the investigation, though there is a material to show that the present petitioner has involved in criminal cases previously, but in the present case, except the confession of A1, there is no material to link the present petitioner to the alleged offences. Considering the availability of sole confessional statement and release of A1, the request of petitioner/A2 for grant of regular bail can be considered by imposing certain conditions.

6. In the result, the petition is allowed and the petitioner/A-2 shall be enlarged on bail 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 the I Additional Sessions Judge, Khammam, Khammam District. On such release, the petitioner shall appear before the Station House Officer, Dammapeta Police Station, Bhadradi-Kothagudem District, on every Sunday between 06:00 a.m. to 06:00 p.m. for a period of six months from today.

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

31<sup>st</sup> December, 2021

sj

---

**M. LAXMAN, J**

**THE HON'BLE SRI JUSTICE M. LAXMAN**

**CRIMINAL PETITION NO.10012 of 2021**

**DATE: 31-12-2021**

sj