**HON'BLE SMT. JUSTICE LALITHA KANNEGANTI**

**CRIMINAL PETITION No. 259 of 2022**

**O R D E R:**

This Criminal Petition under Sections 437 and 439 Cr.P.C. is filed by petitioner – Accused No. 1 in Crime No. 237 of 2021 on the file of Konaraopet Police Station, registered for the offence punishable under Section 20 read with Section 8(c) of Narcotic Drugs and Psychotropic Substances Act, 1985, seeking bail.

2. Prosecution alleges that on 13.12.2021, morning hours, on credible information, Sub-Inspector of Police and staff went to Ondrugutta located at outskirts of Kanagarthi Village, where two persons were sitting and consuming ganja. It is alleged that police caught those people and on check, found some contraband in their possession.

3. Learned counsel for petitioner Sri Harikishan Kudikala submits that contraband of 20 grams is seized from the possession of petitioner. He submits that petitioner is a student and is unconnected with the alleged offence. It is submitted that even as per the case of prosecution, contraband that is seized is 20 grams which is not a commercial quantity. Learned counsel further submits that petitioner is languishing in jail from 13.12.2021 and he has no criminal antecedents, hence, his case may be considered for grant of bail.

4. On the other hand, learned Assistant Public Prosecutor submits that so far seven witnesses were examined and

investigation is still pending, at this stage, his case is not entitled to be considered for grant of bail.

5. Taking into consideration the fact that contraband seized is not a commercial quantity and petitioner is a student and as there are no criminal antecedents against him, this Court deems it appropriate to grant bail to him.

6. The Criminal Petition is therefore, allowed. Petitioner - Accused No. 1 shall be enlarged on bail in Crime No. 237 of 2021 on the file of P.S. Konaraopet on his executing a personal bond for a sum of Rs.20,000/- (Rupees twenty thousand only) with two sureties for a like sum each to the satisfaction of the Principal Judicial Magistrate of First Class, Sircilla. The petitioner – Accused No. 1 shall appear before the police till completion of trial on every Sunday between 10.00 a.m. and 1.00 p.m.

**LALITHA KANNEGANTI, J**

20th January 2022

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