

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION Nos.493 and 502 of 2022

COMMON ORDER:

Criminal Petition No.493 of 2022, under Section 439 of the Code of Criminal Procedure, 1973 (Cr.P.C), is filed by the petitioner/A.3, for grant of bail in Crime No.220 of 2021 of Kattangur Police Station, Nalgonda, registered for the offence punishable under Section 20(b)(ii)(C) of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short "NDPS Act").

2. Criminal Petition No.502 of 2022, under Section 439 of Cr.P.C, is filed by the petitioner/A.3, for grant of bail in Crime No.214 of 2021 of Kattangur Police Station, Nalgonda, registered for the offence punishable under Section 20(b)(ii)(C) of NDPS Act.

3. Heard the learned counsel for petitioner/A.3 in both the petitions, learned Assistant Public Prosecutor appearing for the respondent-State and perused the record.

4. The case of the prosecution is that 20 kgs of ganja alleged to have been seized from the possession of A.3 in Crime No.220/2021 of Kattangur Police Station, pursuant to his confession. In Crime No.214/2021 of Kattangur Police Station, 88

kgs of ganja alleged to have been recovered from the possession of A.5 and A.6 under recovery panchanama dated 27.09.2021.

5. No ganja was seized from the possession of petitioner/A.3 in Crime No.214/2021 of Kattangur Police Station. Whether the ganja seized in Crime No.220/2021 of Kattangur Police Station, is more than the commercial quantity and whether the alleged confession is genuine, need examination in the course of investigation or on conclusion of the trial, as the case may be. Having regard to the totality of the circumstances of the case, the petitioner/A.3 in Crime No.220 of 2021 of Kattangur Police Station and the petitioner/A.3 in Crime No.214 of 2021 of Kattangur Police Station, is entitled for grant of bail on the following terms and conditions.

6. Accordingly, the petitioner/A.3 in both the Criminal Petition Nos.493 and 502 of 2022, is ordered to be released on bail, subject to the following terms and conditions:

- (i) The petitioner/A.3 in both the Criminal Petitions shall execute a personal bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) with two sureties, out of which one surety shall be from the native of the petitioner, in a like sum each to the satisfaction of the learned Judicial Magistrate of First

Class, at Nakrekal, Nalgonda. The petitioner/A.3 has to execute personal bonds and furnish sureties as ordered above, in two crimes separately.

- (ii) After release on bail, the petitioner/A.3 shall appear before the Station House Officer, Kattangur Police Station, Rachakonda, on every Sunday between 10:00 AM and 11:00 AM till filing of charge sheet.
- (iii) During the bail period, the petitioner/A.3 shall not indulge in any crime.
- (iv) The petitioner/A.3 shall not, directly or indirectly, meddle with the investigation, intimidate or induce the witnesses, tamper the evidence and he shall cooperate with the Investigating Officer for smooth completion of the investigation.

7. Accordingly, Criminal Petition Nos.493 and 502 of 2022 are allowed.

Miscellaneous petitions, if any, pending in these Criminal Petitions, shall stand closed.

Date: 16th March, 2022
scs

Dr. SHAMEEM AKTHER, J