

HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

CRIMINAL PETITION No.964 of 2022

ORDER:

This Criminal Petition under Section 438 Cr.P.C. is filed by petitioner – Accused No.1 seeking bail in the event of his arrest in connection with Crime No.287 of 2021 on the file of Mallapur Police Station, Jagtial District, registered for the offences punishable under Section 8(c) read with 20(b)(II)(B) of NDPS Act.

2. The case of prosecution is that on 29.11.2021 at 10.00 hours, on credible information, the Sub-Inspector of Police along with his staff, rushed to the outskirts of Obulapur Village of Mallapur Mandal, where they apprehended A1 to A4 and seized total 785 grams of dry ganja along with a motorcycle and 4 cell phones under a cover of panchanama.

3. Learned counsel for petitioner Mr. K. Venumadhav, submits that the alleged contraband of 150 grams seized from the possession of petitioner is not a commercial quantity and the punishment for the alleged offence is imprisonment for 6 months which may extend to one year. He submits that the petitioner has been falsely implicated in this case. Learned counsel submits that the petitioner has no criminal antecedents and hence, his case may be considered for grant of pre-arrest bail.

4. On the other hand, learned Assistant Public Prosecutor submits that the investigation is pending and so far, 6 witnesses were examined. He submits that A2 to A4 were already arrested and granted bail.

5. Taking into consideration the fact that the alleged contraband of 150 grams is less than the commercial quantity and also there is nothing forthcoming to show that the petitioner has criminal antecedents, this

Court deems it appropriate to grant pre-arrest bail to him, however, on certain conditions.

6. The Criminal Petition is allowed. Petitioner – Accused No.1 shall surrender before the Station House Officer, Mallapur Police Station, Jagtial District, in connection with Crime No.287 of 2021 within one week from today and on such surrender and executing a personal bond for Rs.50,000/- (Rupees fifty thousand only) with two sureties for a like sum each to the satisfaction of the said Station House Officer, he shall be released on bail. On such release, the petitioner shall appear before the said Station House Officer once in a week i.e., on every Saturday between 10.00 a.m. and 1.00 p.m till filing of the charge sheet and he shall cooperate with the investigation. It is made clear that no further extension of time will be granted.

9th February, 2022

LALITHA KANNEGANTI, J

sj

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Date:09.02.2022

sj