

HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

CRIMINAL PETITION No.1075 of 2022

ORDER:

This Criminal Petition under Sections 437 and 439 Cr.P.C. is filed by petitioner – Accused No.1 in Cr.No.233 of 2021 on the file of Kattangur Police Station, Nalgonda District, registered for the offence punishable under Section 8(c) read with 20(b)(ii)(C) of Narcotic Drugs and Psychotropic Substances Act, 1985, seeking bail.

2. The case of prosecution is that on 27.10.2021 at 0700 hours, on credible information, the Sub-Inspector of Police along with his staff rushed to Nalgonda X Road on NH-65, and while they were conducting vehicle checking, they received information that one person was moving in suspicion manner at HP Patrol Bunk, situated at the outskirts of Kattangur Village by carrying a plastic bag, and on search, they seized 20 kgs of ganja from his possession under a cover of panchanama.

3. Learned counsel for petitioner Mr. V. Rajashekhar Reddy, submits that the petitioner was arrested and remanded to judicial custody on 27.10.2021 and he is languishing in jail from the last 107 days. He further submits that the contraband seized from the possession of the accused is not a commercial quantity and as such there is no bar under Section 37 of the NDPS Act. He submits that the petitioner has no criminal antecedents and he is ready to cooperate with the investigation and to comply with any of the conditions imposed by this Court.

4. On the other hand, learned Assistant Public Prosecutor submits that the investigation is pending and so far, 6 witnesses were examined and at this stage, the petitioner is not entitled for bail.

5. Taking into consideration the fact that the contraband seized in this crime is 20 kgs, which is not a commercial quantity and as the petitioner is languishing in jail from the last 107 days, this Court deems it appropriate to grant bail to him, however, on certain conditions.

6. The Criminal Petition is therefore, allowed. Petitioner - Accused No.1 shall be enlarged on bail in connection with Cr.No.233 of 2021 on the file of Kattangur Police Station, Nalgonda District, 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 Judicial First Class Magistrate at Nakerekal, Nalgonda District. 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

11th February, 2022

sj

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Date:10-02-2022

sj