

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

CRIMINAL PETITION NO.1576 OF 2022

ORDER:-

This petition is filed under Section 438 of the Code of Criminal Procedure, 1973 (for short "Cr.P.C.") seeking pre-arrest bail to the petitioner/A.3 in the event of his arrest in connection with Crime No.20 of 2022 of Pargi Police Station, Vikarabad District, registered for the offence punishable under Section 28 and 20(B(ii) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, 'the NDPS Act').

2. The case of the prosecution is that on 24.01.2022, as per the information given by the Station House Officer, Parigi Police Station, the complainant-Deputy Tahasildar, Revenue Inspector and VRA came to the police station, where A.1, who was supplying ganja, was caught by the police at 1900 hours, while a vehicle checking at Parigi Court, Hyderabad, in white colour Activa bearing No.TS 13ER 0540 to A.2 and A.3. The police seized 250 grams of ganja and arrested the accused under the cover of mediators report. Basing on the said report, the present crime was registered.

3. Heard Mr.Govind Reddy Kontham, learned counsel for petitioner, and learned Additional Public Prosecutor for respondent-State.

4. Learned counsel for the petitioner submits that absolutely there are no allegations against the petitioner and nothing has been seized from the possession of the petitioner. He submits that even as per the confession of A.2, he went to A.1 and brought ganja. He further submits that the petitioner has been implicated in this case. It is stated that the petitioner is a student and if he is arrested, his career would be ruined. Hence, the petitioner's case may be considered for grant of pre-arrest bail.

5. On the other hand, learned Additional Public Prosecutor submits contraband of 250 grams is seized from the possession of A.1 and as the offence is under the provisions of NDPS Act, the petitioner is not entitled for pre-arrest bail.

6. Taking into the consideration the fact that nothing has been seized from the possession of the petitioner, further the offence is registered under Section 28 of the NDPS Act and the punishment is six months and as the petitioner is a student, this Court deems it appropriate to grant bail to the petitioner/A.3 on certain conditions.

7. Accordingly, the Criminal Petition is allowed. Petitioner/A.3 shall surrender before the Station House Officer, Pargi Police Station, Vikarabad District, in connection with Crime No.20 of 2022 within one week from today and on such surrender and executing a personal bond for a sum 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. It is made clear that no further extension of time will be granted. Further, the petitioner shall appear before the said Station House Officer once in fifteen days i.e., on 1st and 3rd Sunday between 10.00 a.m. and 1.00 p.m., till one year from today.

Miscellaneous petitions, pending if any, shall stand closed.

LALITHA KANNEGANTI, J

Date :25.02.2022

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