

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

**CRIMINAL PETITION No.1732 of 2022**

**ORDER:**

This Criminal Petition under Sections 437 and 439 Cr.P.C. is filed by the petitioner – Accused No.1 in Crime No. 301 of 2021 on the file of Narkatpally Police Station, Nalgonda District, registered for the offence punishable under Section 20(b)(ii)(C) of Narcotic Drugs and Psychotropic Substances Act, 1985, seeking bail.

2. Prosecution alleges that on 01.11.2021 at 14.00 hours, while the Sub-Inspector of Police along with his staff was conducting vehicle checking at Ammanabole Y Junction, Narkatpally, they stopped a compressor vehicle, found two persons therein, and on search, they seized 25 kgs of ganja from their possession under a cover of panchanama.

3. Learned counsel for the petitioner Mr. M.A.K.Mukheed, submits that the petitioner was only the Driver of vehicle and is unconnected with the alleged crime and he has been implicated in this case falsely. He submits that the petitioner was arrested and remanded to judicial custody on 01.11.2021 and since then he is languishing in jail. He submits that the petitioner has no criminal antecedents and hence, his case may be considered for grant of bail.

3. Learned Assistant Public Prosecutor does not dispute the fact that the petitioner has no criminal antecedents. However, he submits that the investigation is pending and so far, 6 witnesses were examined and at this stage, the petitioner is not entitled for grant of bail.

4. Taking into consideration the fact that the petitioner is languishing in jail since 01.11.2021 and as nothing is forthcoming to show that the petitioner has criminal antecedents, this Court deems it appropriate to grant bail to the petitioner.

5. The Criminal Petition is therefore, allowed. Petitioner - Accused No. 1 shall be enlarged on bail in Crime No.301 of 2021 on the file of Narkatpally 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 for Prohibition and Excise Offences, Nalgonda. The petitioner shall appear before the police concerned till completion of trial on every Sunday between 10.00 a.m. and 1.00 p.m.

3<sup>rd</sup> March, 2022.

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**LALITHA KANNEGANTI, J**

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