

HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO. 2202 OF 2022

ORDER:

This criminal petition is filed under Sections 437 and 439 of the Code of Criminal Procedure, 1973 (for short "Cr.P.C.") seeking to enlarge the petitioners/Accused No.1 and 2 on bail in connection with Crime No.371 of 2021 on the file of Bhadrachalam Town Police Station, Bhadrachalam District registered for the offence punishable under Section 8(c) read with Section 20 B of NDPS Act.

2. Heard the learned counsel for the petitioners and learned Assistant Public Prosecutor for the respondent-State and perused the record.

3. The brief case of the prosecution is that, on 06.09.2021 at 06.30 hours, Bhadrachalam Town police have apprehended the petitioners herein who are Accused No.1 and 2, and found in possession of 30 KGs of dry Ganja. The investigation revealed that the said Ganja was purchased from Accused No.4. The Police conducted seizure panchanama and also recorded the confession of the accused.

4. Learned counsel for the petitioners submits that the charge sheet is already filed which is numbered and the trial is yet to commence. Learned counsel further submits that the petitioner No.2 has to look after her six year old son who is in Jail along with her, as no other family member is present to take care of the said child. Since the investigation is completed and the petitioners undertake to abide by any condition including appearance before the local police Bhadrachalam Town Police Station, this court is inclined to grant bail.

5. Learned Assistant Public Prosecutor submits that, the petitioners are first time offenders and there are no antecedents of any criminal activity against them.

6. In the said circumstances, the petitioners/Accused 1 and 2 are directed to be released on bail on their executing personal bonds for Rs.50,000/- (Rupees Fifty Thousand only) each with two sureties each for likesum. The petitioners shall appear before the Trial Court on every date of hearing, failing which the prosecution may take steps against the petitioners/Accused 1 and 2 including cancellation of bail.

Accordingly, the Criminal Petition is allowed. As a sequel thereto, miscellaneous applications, if any pending, shall stand closed.

K.SURENDER,J

Date :25.03.2022
Ns/Abb/Bds