

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION NO. 2378 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 petitioner/Accused No.2 on bail in connection with Crime No.50 of 2021 on the file of Station House Officer, Medak Town Police Station registered for the offence punishable under Section 20(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'the NDPS Act').

2. Heard the learned counsel for the petitioner/Accused No.2, the learned Assistant Public Prosecutor for the respondent-State and perused the record.

3. Petitioner is arrayed as Accused No.2 in the aforementioned Crime registered for the offence under Section 20(b) of NDPS Act.

4. The case of the prosecution is that Accused No.1 was found in possession of contraband when the police conducted check at Bodhan X Road. Accused No.1 allegedly confessed that he had purchased the contraband and while trying to transport, he was

caught. On the confession of Accused No.1, petitioner/Accused No.2 is arrayed as Accused in the First Information Report.

5. Learned counsel for the petitioner/Accused No.2 submits that petitioner/Accused No.2 has nothing to do with the crime in question and though he was available in the village he was never arrested. There are no seizures effected and there are also no other criminal cases pending against him.

6. Accused No.1 was granted bail by this court in Criminal Petition No.4320 of 2021 on 12.07.2021 in whose possession the contraband was found. Apart from the confession there is no other evidence placed before this court to reject the prayer for bail of the petitioner/Accused No.2.

7. In the said circumstances, the Criminal Petition is allowed and the petitioner/Accused No.2 is granted bail subject to the following conditions:

i) The petitioner/Accused No.2 shall execute 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 Judicial First Class Magistrate at Medak, Medak District.

ii) The petitioner/Accused No.2 shall appear before the Station House Officer, Medak Town Police Station on every Sunday between 08.00 AM and 11.00 AM for a period of three (03) months or till filing of the charge sheet, whichever is earlier.

iii) The petitioner/Accused No.2 shall abide by the other conditions stipulated in Section 437(3) of Cr.P.C.

8. As a sequel thereto, miscellaneous applications, if any pending, shall stand closed.

K.SURENDER,J

Date :07.04.2022
ns