

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO.2879 of 2022

ORDER:

This Criminal Petition is filed under Sections 437 and 439 Criminal Procedure Code, 1973 seeking regular bail to the petitioners/Accused Nos.3, 4 & 8 in Crime No.21 of 2022 on the file of Chityala Police Station, Nalgonda District, registered for the offences punishable under Section 20 (b) (ii)(c) of Narcotic Drugs and Psychotropic Substances Act, 1985, seeking bail.

2. Heard learned counsel for the petitioners/Accused Nos.3, 4 & 8 and the learned Assistant Public Prosecutor for the respondent-State.

3. The facts of the case are that on 08.02.2022, the Sub-Inspector of Police, Chityal Police Station received credible information, on that he along with his staff rushed to Punjabi Dhaba situated at the outskirts of Gundrampally Village of Chityal Mandal, noticed 9 members i.e. A1 to A9 who are sitting in a hotel and discussing about dry ganja purchasing and sold the same in between them and on seeking police, A1 and A9 escaped from there and the police apprehended A2 to A8 and on checking they found 230 dry ganja packets each 2 kgs, total 460 kgs of ganja which are kept in Innova Car bearing No.AP 29 BD 9292 and the

same was seized along with (07) cell phones, 3 cards and Rs.4,00,000/- net cash under cover of panchanama.

4. Learned Counsel for the petitioners submits that the recoveries according to the remand report was at the instance of A2 and except stating that these petitioners were sitting in a hotel, there are no seizures effected at the instance of these petitioners. The said factual scenario is not disputed by the learned Assistant Public Prosecutor in accordance with the panchanama. However, learned Assistant Public Prosecutor opposed the grant of bail to the petitioners on the ground that the confession reflects that money was paid to A2 for the purpose of deliver of the contraband.

5. As seen from the record, these petitioners were sitting in the hotel and there are no recoveries at the instance of these petitioners, nor did the police discover any fact at the instance of these petitioners. Further, the petitioners are seeking bail on the ground of parity as bail granted to Accused No.5 by this Court in CrI.P.No.3342 of 2022, dt.09.06.2022.

6. In the said circumstances, this Court is inclined to grant bail to the petitioners/A3, A4 & A8 subject to the following conditions:

- i) The petitioners/A3, A4 & A8 shall execute personal bonds for a sum of Rs.50,000/- (Rupees Fifty Thousand only) each with two sureties for a like sum

each to the satisfaction of the Principal Judicial First Class magistrate at Ramannapeta, Nalgonda District.

- ii) The petitioners/A3, A4 & A8 shall appear before the concerned Station House Officer on every Sunday between 10.30 a.m. and 01.00 p.m. for a period of three (03) months or until filing of charge sheet, whichever is earlier.
- iii) The petitioners/A3, A4 & A8 shall abide by the other conditions stipulated in Section 437(3) of Cr.P.C.

Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K.SURENDER, J

13.06.2022

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Dt.13.06.2022

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