

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION NO. 3063 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.5 on bail in connection with Crime No.214 of 2021 on the file of Station House Officer, Kattangur Police Station, Nalgonda District registered for the offence punishable under Section 20(b)(ii)(C) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'the NDPS Act').

2. Heard the learned counsel for the petitioner/Accused No.5 and the learned Assistant Public Prosecutor for the respondent-State. Perused the record.

3. Petitioner is arrayed as Accused No.5 in the aforementioned Crime registered for the offence under Section 20(b)(ii)(C) of NDPS Act.

4. As seen from the record the alleged seizure of contraband of 88 kgs of ganja alleged to have been purchased from Accused Nos.1 to 4. The Accused Nos.1, 4 and 6 were granted bail by this court in

Crl.Petition Nos.9087, 9233, 10011 of 2021 dated 16.03.2022 and Crl.Petition No.2991 of 2022 dated 07.04.2022.

5. Learned Assistant Public Prosecutor submits that there are no other criminal cases pending against this petitioner/Accused No.5, however, cases are pending against Accused Nos.1 to 4. Further, the charge sheet is filed and if the petitioner/Accused No.5 is released on bail there are chances of absconding.

6. Since the Accused Nos.1, 4 and 6 are released on bail and charge sheet is filed, the petitioner/Accused No.5 can be granted bail.

7. Accordingly, the Criminal Petition is allowed and the petitioner/Accused No.5 is granted bail subject to the following conditions:

i) The petitioner/Accused No.5 shall execute a personal bond for a sum of Rs.50,000/- (Rupees Fifty Thousand Only) with two sureties out of which **one native surety and another one is local surety** for a like sum each to the satisfaction of Judicial First Class Magistrate, Nakerekal.

ii) The petitioner/Accused No.5 shall appear before the Trial Court on all the dates of hearing.

iii) The petitioner/Accused No.5 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 :11.04.2022
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