

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.4433 OF 2022****ORDER:**

This Criminal Petition is filed under Sections 437 and 439 of Code of Criminal Procedure, 1973 (for short "Cr.P.C") seeking regular bail to the petitioner who is arrayed as Accused No.2 in Crime Occurrence Report No.18 of 2022 on the file of Prohibition and Excise Station, Ameerpet, Hyderabad for the offence punishable under Section 8(c) read with Section 20(b)(ii)(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

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

3. According to the prosecution case on 16.02.2022 the Prohibition and Excise Sub-Inspector apprehended Accused No.1 and found 35 boxes of Hashish oil weighing about 186.34 grams and thereafter, according to the panchanama recorded at the instance of Accused No.1 on 16.02.2022 at 09.00 PM, the excise personnel identified the house of this petitioner/Accused No.2 which is at a

distance of half kilometer and at petitioner's instance, quantity of 120 boxes of Hashish oil totaling 638.88 grams were seized. Thereafter, seizures were also effected at a different places belonging to Accused No.3.

4. In the said circumstances, even according to the panchanama, the quantity seized at the instance of Accused No.2 at his residence is 638.88 grams which is less than commercial quantity. The petitioner is in jail since 06.02.2022. For the said reason, the quantity which is seized from this petitioner being less than commercial quantity, this Court is inclined to grant bail to the petitioner/Accused No.2.

5. Accordingly, 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.1,00,000/- (Rupees One Lakh only) with two sureties for a like sum each to the satisfaction of I Additional Metropolitan Sessions Judge, Hyderabad.

ii) The petitioner/Accused No.2 shall appear before the concerned Prohibition and Excise Personnel on every Monday between 10.30 AM and 01.00 PM for a period of three (03) months or until filing of 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.

Miscellaneous applications, pending if any, shall stand closed.

K.SURENDER, J

Date: 09.06.2022
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