

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.4450 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.1 in Crime Occurrence Report No.13 of 2022 on the file of Prohibition and Excise Station, Balanagar for the offence punishable under Section 8(c) read with Section 20(b)(ii)(c) of Narcotic Drugs and Psychotropic Substances Act, 1985.

2. Heard learned counsel for the petitioner/Accused No.1 and learned Assistant Public Prosecutor for the respondent-State. Perused the record.

3. The case of the prosecution is that on 17.03.2022 at 07.45 AM the Prohibition and Excise Personnel caught hold of this petitioner and another and found 1000 grams of Weed Oil. Accused No.2 is shown as absconding.

4. Learned counsel for the petitioner submits that in fact it was 980 grams which was seized and to make it a commercial quantity 20 grams was added. Learned counsel further submits that the petitioner is a student and is in jail since 17.03.2022.

5. Learned Assistant Public Prosecutor submits that 1000 grams are found and 4 samples are drawn for the purpose of FSL examination. Learned Assistant Public Prosecutor further submits that there are no other cases in which the petitioner is involved.

6. In the said circumstances, this court is inclined grant bail to the petitioner/Accused No.1 keeping in view that the petitioner is a student and is in jail since 17.03.2022.

7. Accordingly, the Criminal Petition is allowed and the petitioner/Accused No.1 is granted bail subject to the following conditions:

i) The petitioner/Accused No.1 shall execute a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties for a like sum each to the satisfaction of VII Metropolitan Magistrate-cum-Prohibition Court at L.B.Nagar.

ii) The petitioner/Accused No.1 shall appear before the concerned Station House Officer on every Monday and Thursday between 10.30 AM and 01.00 PM for a period of three (03) months.

iii) The petitioner/Accused No.1 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: 21.06.2022
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