

THE HONOURABLE SRI JUSTICE N.TUKARAMJI

CRIMINAL PETITION NO. 4489 OF 2022

O R D E R:

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.3 on bail in connection with Crime No.11 of 2022 on the file of Huzurnagar Town Police Station, Suryapet District, registered for the offence punishable under Section 8 (c) read with 20 (b)(ii)(C) of the Narcotic Drugs and Psychotropic Substances Act , 1985.

2. The prosecution case, in brief, is that on 15.01.2022, the petitioner/ accused No.3 was apprehended, along with other accused, while he is in possession of 9.010 Kgs., of ganja. The total contraband seized from the other accused is 38.91 Kgs.

3. Learned counsel for the petitioner/accused No.3 submits that the petitioner is student, has never committed any offence and there are no criminal antecedents. Further, the petitioner is in judicial custody since 15.01.2022. The respondent-police completed investigation in this case and he is ready to furnish sureties and shall abide by any conditions, hence, prayed to grant of bail.

4. Learned Assistant Public Prosecutor opposed the bail application and submits that the investigation is still pending. Since the petitioner/ accused No.3 hails from other State, securing his presence to the judicial process would be difficult.

5. I have perused the record. Having regard to the accusation, the duration of judicial custody undergone by the petitioner/accused No.3 and the reported stage of the investigation, I am inclined to grant bail to the petitioner/accused No.3 subject to the following conditions.

- i) The petitioner/ accused No.3 is directed to be released on bail on his executing a self 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 I Additional District and Sessions Judge at Nalgonda, Nalgonda District. Out of two sureties, one surety shall be from the native place of the petitioner/accused No.3.
- 2) The petitioner/ Accused No.3 shall furnish the address and contact particulars and the changes, if any, from time to time to the Investigating Officer, till final disposal of the case.
- 3) After release, the petitioner/accused No.3 shall appear before the Station House Officer concerned on 15th and 30th of every month till final disposal of the case.

4) The petitioner/accused No.3 shall not cause or intimidate the prosecution witnesses or shall in anyway tamper with the evidence of the prosecution case.

5) The petitioner/accused No.3 shall not commit any offence while on bail.

6. With the above direction, the Criminal Petition is allowed.

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

JUSTICE N.TUKARAMJI

Date :02.06.2022

PLD/YVL