

**THE HONOURABLE SRI JUSTICE K.SURENDER****CRIMINAL PETITION No.4645 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 NCB F.No.48/1/5/2022/NCB/SUB-ZONE/HYD on the file of Metropolitan Sessions Judge-cum-Designated Court for the trial of offences under NDPS Act, Hyderabad for the offence punishable under Section 8(c) read with Section 20(b)(ii)(B), 27-A, 28 and 29 of the NDPS Act.

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

3. The case against this petitioner/Accused No.1 is that he received contraband of 1.42 kgs of high quality ganja from USA which was sent through courier and having knowledge about such import of high quality ganja from USA, this petitioner collected the

said courier and in the said process the NCB having knowledge about the said transaction apprehended the petitioner/Accused No.1.

4. Learned counsel for the petitioner submits that in fact it is 1.42 kgs of high quality ganja is less than commercial quantity and little more than small quantity. He further submits that the petitioner is languishing in jail since 21.02.2022, the petitioner/Accused No.1 can be granted bail.

5. On the other hand, Sri.B.Narsimha Sharma, learned Special Public Prosecutor appearing on behalf of Narcotics Control Bureau argued that this petitioner is not entitled for bail and he is also involved in four other cases as detailed in the counter.

6. In the said circumstances, when the contraband is 1.42 kgs of high quality ganja and that this petitioner is languishing in jail since 21.02.2022, this court is inclined to grant bail to the petitioner/Accused No.1. Any proceedings against this petitioner in the other criminal cases registered by various agencies, such agencies would follow due process of investigating such allegations against this petitioner.

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.1,00,000/- (Rupees One Lakh only) with two sureties for a like sum each to the satisfaction of Metropolitan Sessions Judge-cum-Designated Court for the trial of offences under NDPS Act, Hyderabad.
- ii) The petitioner/Accused No.1 shall appear before the investigating authorities on every Monday between 10.30 AM and 01.00 PM for a period of three (03) months and the petitioner/Accused No.1 shall assist the investigation.
- 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.

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**K.SURENDER, J**

Date: 16.06.2022  
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