

**THE HON'BLE SRI JUSTICE K.SURENDER**

**CRIMINAL PETITION No. 4971 of 2022**

**ORDER:**

This Criminal Petition is filed under Section 438 of the Code of Criminal Procedure, 1973 seeking bail to the petitioner who is arrayed as Accused No.2 in the event of his arrest in C.O.R.No.116 of 2021 on the file of the Prohibition & Excise Station, Narayankhed, Sangareddy District, registered for the offences punishable under Section 8(b) read with 20(a) (i) of NDPS Act, 1985.

2. Heard learned counsel for petitioner/A2 and learned Assistant Public Prosecutor for respondent-State. Perused the record.

3. The case of the prosecution is that on 30.09.2021 on reliable information about illegal cultivation of ganja plants in land in Survey No.106/EE, Badalgaon Village, Manoor Mandal, the excise officials rushed to the spot, raided the land where they found illegal cultivation of (150) ganja plants each about 12 feet of height from the field of A1, A2 is absconding, as such the above case was registered for the offences punishable under Sections 20(b), read with 20(b) of NDPS Act, 1985.

4. The Excise Narayankhed personnel had taken A1 into custody and he was released on bail by the Prl.District and Sessions Judge, FAC I Additional District Judge, Medak at Sangareddy, in CrI.M.P.No.1132 of 2021 in C.O.R.No.116 of 2021, dt.21.12.2021.

5. Learned Counsel for petitioner would submit that he is the father of Accused No.1 and aged 70 years and nothing to do with the alleged cultivation of ganja. In the said circumstances, when the excise personnel, Narayankhed had identified A1 who is son of the petitioner, as person cultivating ganja plants, this petitioner can be granted the relief of Anticipatory Bail who is aged about 70 years subject to the following conditions;

- 1) The petitioner/A2 is directed to surrender before the Station House Officer, Prohibition & Excise Police Station, Narayankhed, Sangareddy District, within a period of 10 days from the date of receipt of copy of this order. On such surrender, the said Station House Officer shall release the petitioner/ A2 on bail, on his executing a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties of a like sum each to his satisfaction.
- 2) On such release, petitioner/A2 shall appear before the said Station House Officer on every Monday and Thursday

between 10.00 a.m to 5.00 p.m., for a period of three months or till filing of the charge sheet whichever is earlier;

- 3) The petitioner/A2 shall abide by the other conditions stipulated in Section 438(2) of Cr.P.C and shall co-operate with the Investigating Officer in investigating the case.

Miscellaneous applications, if any pending in this criminal petition, shall stand closed.

Date :21.06.2022  
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**K.SURENDER, J**

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**Dt.21.06.2022**

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