

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO.5119 of 2022

ORDER:

This Criminal Petition is filed under Sections 437 and 439 Criminal Procedure Code, 1973 seeking regular bail to the petitioners/Accused Nos.8 to 13 in Crime No.138 of 2021 on the file of Secunderabad Railway Police Station, Hyderabad, registered for the offences punishable under Section 20(b) (ii) (c) of NDPS Act.

2. Heard learned counsel for the petitioners/Accused and the learned Assistant Public Prosecutor for the respondent-State.

3. The case of the prosecution is that in all 13 members were caught with Ganja with different quantities when the police searched train returning from Kazipet while reaching at Lingampally Railway Station. The petitioners were apprehended with ganja.

4. Even according to police different quantities of contraband was seized from each of the accused who are 13 in number. It is the specific case of the prosecution that petitioners were holding quantities as mentioned in the remand report. Charge sheet is being filed and the petitioners 1, 3, 4, 5 and 6 who are Accused Nos.8, 10, 11, 12 and 13 were found with contraband less than commercial quantities.

5. Learned Assistant Public Prosecutor on instructions would submit that there are no other cases filed against these petitioners.

6. For the said reason, petitioners 1, 3, 4, 5 and 6 who are Accused Nos.8, 10, 11, 12 and 13 are permitted to be released on bail subject to the following conditions:

- i) The petitioner Nos.1, 3, 4, 5, and 6/Accused Nos.8, 10, 11, 12 and 13 shall execute personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each with two sureties for a like sum each to the satisfaction of the I Additional Metropolitan Sessions Judge, Hyderabad.
- ii) The petitioner Nos.1, 3, 4, 5, and 6/Accused Nos.8, 10, 11, 12 and 13 shall appear before the concerned Station House Officer on every date of hearing.
- iii) The petitioner Nos.1, 3, 4, 5, and 6/Accused Nos.8, 10, 11, 12 and 13 shall abide by the other conditions stipulated in Section 437(3) of Cr.P.C.

7. As far as petitioner No.2/A9 is concerned, since this petitioner is carrying 22 Kgs. which is more than commercial quantity, the prayer for bail is refused

Accordingly, the criminal petition is partly allowed.

Miscellaneous applications, if any pending, shall stand closed.

K.SURENDER, J

24.06.2022
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Dt.24.06.2022

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