

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.5282 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.24 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 12.04.2022 the Excise Enforcement Personnel found Accused Nos.1 and 2 in possession of dry ganja. Accused No.1 was in possession of 2 kgs 150 grams and Accused No.2 was also found in possession of ganja. Accused Nos.1 and 2 were remanded to judicial custody on 12.04.2022.

4. Learned counsel for the petitioner submits that the remaining Accused Nos.2, 3 and 4 were already released on bail. As per the learned Assistant Public Prosecutor there are no criminal antecedents as far as this petitioner is concerned.

5. In the said circumstances, in view of the contraband being 2 kgs 150 grams of dry ganja which is less than commercial quantity, the petitioner who is a student can be granted bail subject to conditions.

6. 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 III Metropolitan Magistrate-cum-Excise Court at Malkajgiri (Previously VII Metropolitan Magistrate at L.B.Nagar)

ii) The petitioner/Accused No.1 shall appear before the Prohibition and Excise Station, Balanagar on every Monday between

10.30 AM and 01.00 PM for a period of three (03) months or until filing of charge sheet whichever is earlier.

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.

Date: 27.06.2022
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K.SURENDER, J