

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No. 5308 of 2022

ORDER:

This Criminal Petition is filed under Section 437 & 439 of the Code of Criminal Procedure, 1973 (for short "Cr.P.C.") seeking to enlarge the petitioner/A2 on bail in connection with Crime No.36 of 2022, on the file of Kethepally Police Station, Nalgonda District.

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

3. Briefly stated the case of prosecution is that on 29.03.2022, Accused No.1 namely Abu Bakar was caught with 16 kgs. of Ganja by the Sub-inspector of Kethepally Police Station. The said Accused No.1, during the course of investigation, confessed that the said 16 kgs. was being transported at the instance of this petitioner/A2. On the basis of the said confession of A1, this petitioner was arrested and remanded to judicial custody on 01.04.2022. Apart from the alleged confession of A1, there are no seizures or any other incriminating evidence which is found by the police

while remanding this petitioner, apart from the details of communication on phone.

4. Learned Assistant Public Prosecutor on instructions would submit that there are no criminal antecedents as far as this petitioner/A2 is concerned.

5. The ganja which is seized from A1 is 16 kgs and the same is less than the commercial quantity. There are no seizures from this petitioner/A2 and his involvement was shown only on the basis of confession of Accused No.1

6. In the said circumstances this petitioner can be granted bail on the following conditions.

i. The petitioner/ A2 is directed to be released on bail on his executing personal bond for Rs.1,00,000/- (Rupees One Lakh only) with two sureties each for like sum, to the satisfaction of Judicial First Class magistrate at Nakrekal, Nalgonda District.

ii. On such release, the petitioner/A2 shall appear before the concerned Police Station on every Monday between 10.00 a.m. to 5.00 p.m. for a period of three months or till filing of

charge sheet whichever is earlier, for the purpose of investigation.

iii. The petitioner/A2 shall comply with the conditions as laid down under Section 437 (3) of Cr.P.C.

7. Accordingly, the Criminal Petition is allowed.

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

Date :04.07.2022
tk

K.SURENDER, J

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO. 5308 of 2022
Dt.04.07.2022

tk