

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.5432 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 in Crime Occurrence Report No.49 of 2022 on the file of Prohibition and Excise Station, Musheerabad registered for the offence punishable under Section 8(c) read with Section 20(b)(ii)(B) of NDPS Act.

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

3. The case of the prosecution is that on 26.04.2022 on reliable information the excise personnel, Musheerabad conducted raids and found 2 kgs of dry ganja, while this petitioner was going on a two wheeler. The petitioner was arrested and remanded to judicial custody on the same day.

4. Learned counsel for the petitioner submits that the petitioner is aged 21 years and has nothing to do with the alleged offence. However, the seized ganja is 2 kgs, which is less than commercial quantity.

5. Learned Assistant Public Prosecutor submits that there are no other cases pending against this petitioner.

6. In the said circumstances, keeping in view that the contraband being 2 kgs of dry ganja which is less than commercial quantity, the petitioner who is in jail since 26.04.2022, can be granted bail subject to conditions.

7. Accordingly, the Criminal Petition is allowed and the petitioner/Accused is granted bail subject to the following conditions:

i) The petitioner/Accused 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 Metropolitan Criminal Court (MSJ), Nampally, Hyderabad.

ii) The petitioner/Accused shall appear before the concerned Station House Officer 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 shall abide by the other conditions stipulated in Section 437(3) of Cr.P.C.

Miscellaneous applications, pending if any, shall stand closed.

K.SURENDER, J

Date: 01.07.2022
ns