

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.5648 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 No.121 of 2022 on the file of Station House Officer, Nallakunta Police Station, Kachiguda registered for the offence punishable under Section 8(c) read with Section 20(b)(ii)(B) 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 14.04.2022 the Nallakunta Police having received information regarding selling of ganja, went to the premises of this petitioner at Nallakunta and on search found about 1100 grams of dry ganja and also 450 grams of ganja paste and the said ganja was for the purpose of selling to the customers.

4. Learned counsel for the petitioner submits that the quantity seized is less than commercial quantity and there are no other criminal antecedents as far as this petitioner is concerned. He further submits that the petitioner was arrested on 14.04.2022 and he has children and wife who are dependents to look after.

5. Learned Assistant Public Prosecutor is not disputed that the contraband seized is less than commercial quantity.

6. In the said circumstances, since there are no other cases against this petitioner and also for the reason that the ganja seized is less than commercial quantity, the petitioner/Accused No.1 can be granted the relief of bail subject to conditions.

7. 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 IV Additional Chief Metropolitan Magistrate, Hyderabad.

ii) The petitioner/Accused No.1 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 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.

K.SURENDER, J

Date: 04.07.2022
ns