

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION NO.5679 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.7 in Crime No.138 of 2021 on the file of Station House Officer, 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 petitioner/Accused No.7 and the learned Assistant Public Prosecutor for the respondent-State. Perused the record.

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 petitioner was apprehended with 12 kgs of 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 petitioner was holding

quantity as mentioned in the remand report. Charge sheet is being filed and the petitioner who is Accused No.7 was found with contraband which is less than commercial quantity.

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

6. In the said circumstances, the petitioner/Accused No.7 can be granted the relief of bail subject to conditions.

7. Accordingly, the Criminal Petition is allowed and the petitioner/Accused No.7 is granted bail subject to the following conditions:

i) The petitioner/Accused No.7 shall execute 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 the II Metropolitan Magistrate (For Railways) at Secunderabad.

ii) The petitioner/Accused No.7 shall appear before the concerned Court on every date of hearing.

iii) The petitioner/Accused No.7 shall abide by the other conditions stipulated in Section 437(3) of Cr.P.C.

Miscellaneous applications, if any pending, shall stand closed.

K.SURENDER, J

Date: 07.07.2022
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