

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No. 5751 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/A3 on bail in connection with C.O.R.No.37 of 2022, on the file of Prohibition & Excise Police Station, Balanagar, for the offences punishable under Section 8(c) read with 20(b)(ii)(B) of NDPS Act, 1985.

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

3. The petitioner, according to police has sold 3.97 Kgs. of Ganja to A1 and 3.75 kgs of ganja to A2. The said allegation is made against this petitioner pursuant to confession of Accused Nos.1 and 2 who were apprehended with the said contraband on 22.05.2022.

4. Learned Counsel for petitioner submits that apart from the alleged confession, there are no seizures or any other panchanama conducted in the premises of the petitioner to infer that this petitioner had in fact sold the ganja to Accused Nos.1 and 2.

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

6. Since the seized contraband is less than the commercial quantity which is seized from Accused Nos.1 and 2, further, apart from the confession there is no other evidence as on today, this petitioner can be granted bail subject to following conditions:

- i. The petitioner/ A3 is directed to be released on bail on his executing personal bond for Rs.25,000/-(Rupees Fifty Thousand only) with two sureties for like sum each, to the satisfaction of II Additional Junior Civil Judge at Kukatpally.
- ii. On such release, the petitioner/A3 shall appear before the concerned Police Station on every Monday between 10.30 a.m. to 1.00 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/A3 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 :08.07.2022
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K.SURENDER, J

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