

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.5852 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.2 in Crime No.133 of 2022 on the file of Station House Officer, Narsampet Town Police Station, Warangal District registered for the offence punishable under Section 29 NDPS Act and Section 8(c) read with Section 20(b)(ii)(C) of NDPS Act.

2. Heard learned counsel for the petitioner/Accused No.2 and learned Assistant Public Prosecutor for the respondent-State. Perused the record.

3. The case of the prosecution is that this petitioner who is arrayed as Accused No.2 and Accused No.1 were transporting ganja. The police Narsampet intercepted these petitioners and found 40 kgs of ganja. Even before they could apprehend the person who was along with Accused No.1, the said person escaped. As per the confession of Accused No.1, this petitioner was named as Accused in

the remand report and identified as the person who had escaped from the scene when the police intercepted Accused No.1 and the other person.

4. Learned Assistant Public Prosecutor submits that the basis for implicating this petitioner is the confession and in fact he was a person who ran from the scene on seeing police. However, the investigation is complete and charge sheet is already filed.

5. In the said circumstances, when the petitioner is implicated on the basis of confession of Accused No.1 and there are no other cases pending, this petitioner/Accused No.2 can be granted the relief of bail subject to conditions.

6. Accordingly, the Criminal Petition is allowed and the petitioner/Accused No.2 is granted bail subject to the following conditions:

i) The petitioner/Accused No.2 shall execute a personal bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) with two sureties for a like sum each to the satisfaction of Judicial First Class Magistrate at Narsampet.

ii) The petitioner/Accused No.2 shall appear before the trial Court on every date of hearing without fail.

iii) The petitioner/Accused No.2 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: 12.07.2022
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