

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No. 6176 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 petitioners/A1 & A2 on bail in connection with C.O.R.No.147 of 2022, on the file of Prohibition & Excise Police Station, Bhadrachalam, registered 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 petitioners and learned Assistant Public Prosecutor for the respondent-State and perused the record.

3. The case of the prosecution is that the Prohibition and Excise Police, Bhadrachalam apprehended the petitioners herein on 10.06.2022 and found 2 Kgs. of dry ganja in their possession. After following due procedure under NDPS Act, the petitioners were sent to judicial custody on the same day.

4. Learned Counsel for the petitioners submits that the seized contraband is only 2 Kgs. which is less than the commercial quantity and that the petitioners are in jail from 10.06.2022, as such they may be granted bail.

5. Learned Assistant Public Prosecutor on instructions submits that there are no other criminal cases pending against these petitioners.

6. Since the quantity of contraband seized from the petitioners is 2 Kgs. which is less than the commercial quantity and since there are no other cases pending against these petitioners, the petitioners can be granted the relief of bail.

7. Accordingly, the criminal petition is allowed and the petitioners can be released on bail subject to the following conditions:

i. The petitioners/A1 & A2 are directed to be released on bail on their executing personal bonds for Rs.20,000/-(Rupees Twenty Thousand only) each with two sureties for a like sum each, to the satisfaction of Judicial Magistrate of First Class, Bhadrachalam, Bhadradri Kothagudem District.

ii. On such release, the petitioners/A1 & A2 shall appear before the concerned Station House Officer 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 petitioners/A1 & A2 shall comply with the conditions as laid down under Section 437 (3) of Cr.P.C.

Miscellaneous applications, if any pending in this criminal petition, shall stand closed.

K.SURENDER, J

Date :20.07.2022
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Dt.20.07.2022

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