

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.5943 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 petitioners who are arrayed as Accused Nos.1 and 2 in Crime No.15 of 2022 on the file of Station House Officer, Railway Police Station, Hyderabad registered for the offence punishable under Section 20(b)(ii)(C) of NDPS Act.

2. Heard learned counsel for the petitioners/Accused Nos.1 and 2 and learned Assistant Public Prosecutor for the respondent-State. Perused the record.

3. The case of the prosecution is that on 28.01.2022 the Railway Police, Hyderabad while conducting search found these petitioners in Konark express train and the police seized 14 kgs from Accused No.1 and 12 kgs from Accused No.2. The said seizure of 14 kgs and 12 kgs is mentioned in the charge sheet and it is the case of the police after investigating that the seizures were effected separately.

4. In the said circumstances, when the seizures were effected separately and the quantity is less than commercial quantity, these petitioners can be granted the relief of bail subject to conditions.

5. Accordingly, the Criminal Petition is allowed and the petitioners/Accused Nos.1 and 2 are granted bail subject to the following conditions:

i) The petitioners/Accused Nos.1 and 2 shall execute personal bonds for a sum of Rs.20,000/- (Rupees Twenty Thousand only) each with **one local surety and one native surety** for a like sum each to the satisfaction of Metropolitan Sessions Judge at Nampally, Hyderabad.

ii) The petitioners/Accused Nos.1 and 2 shall appear before the trial Court on every date of hearing without fail.

iii) The petitioners/Accused Nos.1 and 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: 14.07.2022
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