

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.6117 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.2 and 3 in Crime No.134 of 2022 on the file of Station House Officer, Bhadrachalam Town Police Station, Bhadrachalam-Kothagudem District registered for the offence punishable under Section 8(c) read with Section 20(b) of NDPS Act-1985.

2. Heard learned counsel for the petitioners/Accused Nos.2 and 3 and learned Assistant Public Prosecutor for the respondent-State. Perused the record.

3. The case of the prosecution is that the Bhadrachalam Town police found these two petitioners who are Accused Nos.2 and 3 and also Accused No.1 in possession of three bags containing 01 kg of ganja in each bag. Accordingly, after following the procedure under NDPS Act these petitioners were sent to judicial custody on 08.06.2022.

4. Learned counsel for the petitioners submits that 01 kg of ganja is small quantity and even according to the prosecution one bag was recovered from each of the accused.

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

6. In the said circumstances, the petitioners/Accused Nos.2 and 3 can be granted the relief of bail subject to conditions.

7. Accordingly, the Criminal Petition is allowed and the petitioners/Accused Nos.2 and 3 are granted bail subject to the following conditions:

i) The petitioners/Accused Nos.2 and 3 shall execute personal bonds for a sum of Rs.20,000/- (Rupees Twenty Thousand only) each with two sureties for a like sum each to the satisfaction of Special Sessions Judge for the Trial of Cases under Narcotic Drugs and Psychotropic Substances Act-cum-I Additional Sessions Judge at Khammam.

ii) The petitioners/Accused Nos.2 and 3 shall appear before the concerned Station House Officer on every Monday between 10.30 AM and 01.00 PM for a period of eight (08) weeks or until filing of charge sheet whichever is earlier.

iii) The petitioners/Accused Nos.2 and 3 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: 19.07.2022
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