

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No. 6723 of 2022

ORDER:

This Criminal Petition is filed under Section 438 of Cr.P.C. by petitioner/Accused No.2 seeking bail in the event of his arrest in connection with Crime No.13 of 2022 on the file of Balanagar Police Station, Hyderabad, registered for the offences punishable under Sections 8 (c) r/w Section 20 (b) (ii) (c) of NDPS Act, 1985

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

3 The case of the prosecution is that one kg of Hashish oil was seized from the possession of A.1 and A.2 and A.1 revealed the complicity of A.2 (petitioner herein) in his statement before the excise officials.

4. The petitioner is arrayed as accused No.2 on the basis of the confession of Accused No.1 from whom one (1) kg of Hashish oil was seized.

5. In the said circumstances and the basis for arraying the petitioner as accused is the confession of A.1 and there being no seizure or any investigation to show the complicity of the petitioner, the petitioner can be released on anticipatory bail.

6. Accordingly, the criminal petition is allowed and the petitioner/Accused No.2 shall be enlarged on bail in the event of his arrest, subject to the following conditions:

- 1) The petitioner/Accused No.2 is directed to surrender before the Station House Officer, Balanagar Police Station, Hyderabad within ten days and on such surrender, the said Station House Officer, shall release the petitioner/Accused on bail, on his executing personal bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) with two sureties in a like sum each to his satisfaction.
- 2) On such release, the petitioner/Accused No.2 shall appear before the police on every day for a period of one month and thereafter as and when required, for the purpose of investigation.
- 3) The petitioner/Accused No.2 shall abide by the other conditions stipulated in Section 438(2) of Cr.P.C and shall co-operate with the Investigating Officer in investigating the case.

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

K.SURENDER, J

Date:10.08.2022

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Dt.10.08.2022

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