

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.6643 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 Occurrence Report No.149 of 2022 on the file of Prohibition and Excise Station, Bhadrachalam registered for the offence punishable under Section 8(c) read with Section 20(b)(ii)(C) of Narcotic Drugs and Psychotropic Substances Act, 1985.

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 facts of the case are that the petitioners were caught by the Prohibition and Excise Bhadrachalam police for being in possession of 11 kgs of dry ganja.

4. Learned counsel for the petitioners submits that the contraband seized is less than commercial quantity and there are no other cases pending against these petitioners.

5. On instructions learned Assistant Public Prosecutor would submits that there are no other criminal antecedents against the petitioners.

6. In the said circumstances, since the contraband seized is less than commercial quantity and no other cases are pending against the petitioners/Accused Nos.1 and 2, they can be granted the relief of bail.

7. 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 a personal bonds for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each with two sureties for a like sum each to the satisfaction of Judicial First Class Magistrate at Bhadrachalam.

ii) The petitioners/Accused Nos.1 and 2 shall appear before the concerned Station House Officer on every Monday between 10.30 AM and 01.00 PM for a period of three (03) months and thereafter as and when required.

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: 02.08.2022
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