

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION NO.6647 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 to enlarge the petitioner who is arrayed as Accused No.5 on regular bail in SC No.160 of 2022 on the file of I Additional Metropolitan Sessions Judge, Hyderabad in Crime No.138 of 2021, Secunderabad Railway Police Station, Hyderabad registered for the offence punishable under Section 20(b) (ii) (c) of NDPS Act.

2. Heard learned counsel for the petitioner/Accused No.5 and the learned Assistant Public Prosecutor for the respondent-State.

Perused the record.

3. The case of the prosecution is that in all 13 members were caught with Ganja with different quantities when the police searched train returning from Kazipet while reaching at Lingampally Railway Station. The petitioner was apprehended with ganja.

4. Even according to police different quantities of contraband was seized from each of the accused who are 13 in number. It is the specific case of the prosecution that petitioner was holding

quantity as mentioned in the remand report. Charge sheet is filed and the Accused Nos.2 to 4, 6, 7, 8, 9, 10 to 13 were found with contraband were released on bail.

5. Learned Assistant Public Prosecutor on instructions would submit the investigation is complete and charge sheet is already filed.

6. In the said circumstances, as the investigation is complete and charge sheet is already filed, he can be granted the relief of bail subject to conditions.

7. Accordingly, the Criminal Petition is allowed and the petitioner/Accused No.5 is granted bail subject to the following conditions:

i) The petitioner/Accused No.5 shall execute personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties for a like sum each to the satisfaction of the I Additional Metropolitan Sessions Judge, Hyderabad.

ii) The petitioner/Accused No.5 shall appear before the trial Court on every date of hearing without fail and if the petitioner fail to appear without reasonable cause and causes delay in trial, the bail granted to this petitioner is liable to be cancelled.

iii) The petitioner/Accused No.5 shall abide by the other conditions stipulated in Section 437(3) of Cr.P.C.

Miscellaneous applications, if any pending, shall stand closed.

K.SURENDER, J

Date: 02.08.2022
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