

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.6735 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 petitioner who is arrayed as Accused No.3 in Crime Occurrence Report No.42 of 2022 on the file of Prohibition and Excise Station, Nirmal, Nirmal District registered for the offence punishable under Section 8(c) read with Section 20(b)(ii)(B) of NDPS Act.

2. Heard learned counsel for the petitioner/Accused No.3 and learned Assistant Public Prosecutor for the respondent-State. Perused the record.

3. The police Nirmal found two bags containing 11 kgs and 9 kgs of ganja respectively in the adjacent premises of this petitioner. The said seizure was done pursuant to the confession of accused Nos.1 and 2 that this petitioner has sold ganja.

4. Learned counsel for the petitioner submits that this petitioner surrendered before the concerned Court and he is in jail since

04.05.2022. He further submits that this petitioner has nothing to do with the premises from where the ganja is seized.

5. Learned Assistant Public Prosecutor submits that this petitioner has no other criminal antecedents.

6. In the said circumstances, this petitioner/Accused No.3 can be granted the relief of bail.

7. Accordingly, the Criminal Petition is allowed and the petitioner/Accused No.3 is granted bail subject to the following conditions:

i) The petitioner/Accused No.3 shall execute a personal bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) with two sureties for a like sum each to the satisfaction of Special Court for trial of cases under NDPS Act-cum-Principal District and Sessions Judge, Nirmal.

ii) The petitioner/Accused No.3 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 petitioner/Accused No.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: 01.08.2022
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