

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.6725 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.1 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 petitioner/Accused No.1 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 this petitioner who is Accused No.1 and also Accused Nos.2 and 3 in possession of three bags containing 01 kg of ganja in each bag. Accordingly, after following the procedure under NDPS Act the Accused Nos.1 to 3 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. He further submits that Accused Nos.2 and 3 were granted regular bail by this Court on 19.07.2022.

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 petitioner/Accused No.1 can be granted the relief of bail subject to conditions.

7. Accordingly, the Criminal Petition is allowed and the petitioner/Accused No.1 is granted bail subject to the following conditions:

i) The petitioner/Accused No.1 shall execute personal bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only) with two sureties for a like sum each to the satisfaction of Special Sessions Judge for Trial and Disposal of Cases under Narcotic Drugs and Psychotropic Substances Act-cum-I Additional Sessions Judge at Kothagudem.

ii) The petitioner/Accused No.1 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 petitioner/Accused No.1 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: 04.08.2022
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