

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.6875 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.62 of 2022 on the file of Prohibition and Excise Station, Balanagar, 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 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 found in possession of 1 kg 83 grams of ganja and seized by the Balanagar Police.
4. Learned counsel for the petitioners submits that the 1st petitioner is a mother of 10 months old child and the jail is not conducive for the child and the child is facing problems.

5. Learned Assistant Public Prosecutor submits that Accused No.1 is involved in similar case.

6. Keeping in view that the 1st petitioner is a woman having a 10 months old child and also the quantity being 1 kg 83 grams which is less than commercial quantity, the petitioners/Accused Nos.1 and 2 can be granted the relief of bail subject to conditions.

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 personal bonds for a sum of Rs.50,000/- (Rupees Fifty Thousand only) each with two sureties for a like sum each to the satisfaction of Metropolitan Sessions Judge, Medchal Malkajgiri District at Malkajgiri.

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 eight (08) weeks 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.

Date: 04.08.2022
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K.SURENDER, J