

HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

CRIMINAL PETITION No. 8585 of 2021

O R D E R:

This Criminal Petition under Sections 437 and 439 Cr.P.C. is filed by petitioner – Accused No. 3 in Crime No. 201 of 2021 on the file of Shahinayathgunj Police Station, registered for the offence punishable under Section 8(C) read with Section 20(b)(ii)(C) of Narcotic Drugs and Psychotropic Substances Act, 1985, seeking bail.

2. The case of prosecution is that on 04.10.2021, on credible information that one Mr. Deepu Singh and petitioner herein were delivering ganja under Sitalamatha grave yard, the Additional Inspector of Police along with his staff went there and when both the accused were trying to run away, they caught hold of them and found one blue colour drum which contains total 12 packets of ganja, each weighting 2 kgs. Therefore, they were arrested and produced before the learned Magistrate.

3. Learned counsel for petitioner Sri Ch. Ravinder, submits that petitioner is arrayed as Accused No.3 and all the allegations are against Accused Nos. 1 and 2. He submits that already Accused Nos. 1 and 2 were granted bail by this Court. Further, it is submitted that contraband that is seized is only 24 kgs. and petitioner is languishing in jail from 04.10.2021, hence, his case may be considered for grant of bail.

4. Learned Assistant Public Prosecutor, on the other hand, submits that petitioner has criminal antecedents and he is an accused in Crime No. 53 of 2020 under the provisions of the

NDPS Act. He submits that so far, four witnesses were examined and investigation is still pending.

5. Taking into consideration the fact that Accused Nos. 1 and 2 were already enlarged on bail, and as petitioner is languishing in jail since 04.10.2021, this Court deems it appropriate to grant bail to him, however, on certain conditions.

6. The Criminal Petition is therefore, allowed. Petitioner – Accused No. 3 shall be enlarged on bail in connection with Crime No. 201 of 2021 on the file of Shahinayathgunj Police Station, on his executing 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 XVI Additional Chief Metropolitan Magistrate, Hyderabad. Petitioner – Accused No. 3 shall appear before the police concerned on every Sunday between 10.00 a.m. and 2.00 P.M. till completion of trial.

24th January 2022

LALITHA KANNEGANTI, J

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