

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION Nos.8477 & 8479 of 2021

COMMON ORDER:

Crl.P.No.8477 of 2021

These Criminal Petition under Sections 437 and 439 of Criminal Procedure Code are filed by petitioners 1 and 2, who are arrayed as accused Nos.1 and 2 in Crime No.150 of 2021 of Aswapuram Police Station, Bhadradi, Kothagudem, registered for the offences punishable under Sections 8 (c) r/w.20 (b) of Narcotic Drugs and Psychotropic Substances Act, 1985, seeking bail.

Crl.P.No.8479 of 2021

This Criminal Petition under Sections 437 and 439 of Criminal Procedure Code are filed by petitioners, who are arrayed as accused Nos.3 and 4 in Crime No.150 of 2021 of Aswapuram Police Station, Bhadradi, Kothagudem, registered for the offences punishable under Sections 8 (c) r/w.20 (b) of Narcotic Drugs and Psychotropic Substances Act, 1985, seeking bail.

2. The case of the prosecution is that Accused Nos.1 to 4 were found in the Innova vehicle in which 90 Kgs. of Ganja was seized. As seen from the remand report the case of the prosecution is that Accused Nos.1 and 2 purchased 90 Kgs. of Ganja and packed it into plastic covers and reached Bhadrachalam along with the said 90 kgs of Ganja. They, called one Sundar Bhai who is the owner of

Innova Vehicle which was seized in the present case for the purpose of transportation, the said Sundar Bhai sent Accused Nos.3 and 4 who are petitioners in CrI.P.No.8479 of 2021 to drive the vehicle which was engaged by Accused Nos.1 and 2.

Admittedly, as seen from the case of the prosecution the material was purchased by Accused Nos.1 and 2 and transported to Bhadrachalam from there they engaged Innova Vehicle in question. The owner of the vehicle Sundar Bhai sent petitioners in CrI.P.No.8479 of 2021 who are his drivers.

In the said circumstances, when the petitioners in CrI.P.No.8479 of 2021 had nothing to do with procuring the 90 kgs. of Ganja by Accused Nos.1 and 2 and at the instance of their owner Sundar Bhai they went to drive the vehicle, as such, the petitioners in CrI.P.No.8479/2021 can be granted relief of bail.

Accordingly, the Criminal Petition No.8479/2021 is allowed, directing the petitioners/Accused Nos.3 & 4 to be released on bail on their executing a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five thousand only) each, with two sureties for alike sum each, among which one is local surety, to the satisfaction of Judicial First Class Magistrate at Manuguru. The petitioners shall appear before the concerned Police Station on every Monday and Thursday for a period of three months. Further

the petitioners shall make themselves available for investigation as and when required.

The bail petition filed in CrI.P.No.8477 of 2021 filed by Accused Nos.1 and 2 is devoid of merits for the reasons mentioned above. As such, CrI.P.8477 of 2021 is dismissed.

K.SURENDER, J

19.04.2022

tk

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION Nos.8477 & 8479 of 2021
Dt.19.04.2022

tk