

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.7141 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, 2, 4 and 5 in Crime No.105 of 2022 pending on the file of Prohibition and Excise Station, Khammam –II registered for the offence under Section 8(c) read with Section 20(b)(ii)(B) of NDPS Act, 1985.

2. Heard learned counsel for the petitioners/Accused Nos.1, 2, 4 and 5 and the learned Assistant Public Prosecutor for the respondent-State. Perused the record.

3. The facts of the case are that the Prohibition and Excise police Khammam conducted raids near Library Park, Bosubomma Center, III Town Area, Khammam and on interception the petitioners were found in possession of 3 kgs 200 grams of dry ganja and two bikes. Accordingly, they were arrested.

4. Learned counsel for the petitioners submits that the seized quantity is less than commercial quantity and requested the Court to enlarge the petitioners on bail.

5. Learned Assistant Public Prosecutor submits that there are no other criminal antecedents against these petitioners.

6. In the said circumstances, when the quantity is less than commercial quantity, these petitioners can be granted the relief of bail.

7. Accordingly, the Criminal Petition is allowed and the petitioners/Accused Nos.1, 2, 4 and 5 are granted bail subject to the following conditions:

i) The petitioners/Accused Nos.1, 2, 4 and 5 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 I Additional Judicial First Class Magistrate at Khammam.

ii) The petitioners/Accused Nos.1, 2, 4 and 5 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 shall appear as and when required.

iii) The petitioners/Accused Nos.1, 2, 4 and 5 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: 22.08.2022
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