

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.7146 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.2 in Crime No.404 of 2022 on the file of Station House Officer, Bachupally Police Station, Kukatpally registered for the offence punishable under Section 20(b)(ii)(A) of NDPS Act, 1985.

2. Heard learned counsel for the petitioner/Accused No.2 and the learned Public Prosecutor for the respondent-State. Perused the record.

3. The case of the prosecution is that on 18.07.2022 the Bachupally Police arrested this petitioner. On the said date, the Accused No.1 came by walk on the main road with red colour trolley bag and when Accused Nos.1 to 3 were discussing, the police caught hold of Accused Nos.2 and 3 with red trolley bag and Accused No.1 managed to escape. Even according to the police, this petitioner called Accused No.1 for purchase of ganja and when

it was about to be delivered, the Accused No.1 managed to escape and this petitioner was arrested with the said bag which was left by Accused No.1.

4. On instructions learned Assistant Public Prosecutor would submit that there are no other pending cases against this petitioner.

5. In the said circumstances, when the contraband quantity is 05 kgs and more so the contraband was brought by Accused No.1, this petitioner who has no questionable antecedents can be granted the relief of bail.

6. Accordingly, the Criminal Petition is allowed and the petitioner/Accused No.2 is granted bail subject to the following conditions:

i) The petitioner/Accused No.2 shall execute 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 I Additional District and Sessions Judge-cum-Metropolitan Sessions Judge, Cyberabad at Medchal-Malkajgiri District at Malkajgiri.

ii) The petitioner/Accused No.2 shall appear before the concerned Station House Officer on everyday between 10.30 AM and 01.00 PM for a period of thirty (30) days and thereafter shall appear as and when required.

iii) The petitioner/Accused No.2 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: 16.08.2022
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