

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.7168 OF 2022****ORDER:**

This Criminal Petition is filed under Section 438 of the Code of Criminal Procedure, 1973 seeking bail to the petitioner who is arrayed as Accused in the event of her arrest in Crime No.49 of 2021 on the file of Prohibition and Excise Station, Wanaparthi registered for the offence punishable under Section 34(a) of AP Excise Act, 1968.

2. Heard learned counsel for the petitioner/Accused and learned Assistant Public Prosecutor for the respondent-State. Perused the record.

3. The case of the prosecution is that the Excise Police Wanaparthi conducted raid on a toddy shop on 16.02.2021 and seized toddy. The said toddy was sent for analysis.

4. The case of the prosecution against this petitioner is that she was selling the said toddy.

5. On instructions learned Assistant Public Prosecutor submits that the lab confirmed that Narcotic Substance Alprazolam was present in the samples of the Toddy.

6. Learned counsel for the petitioner submits that it is not specifically mentioned that it is in the knowledge of this petitioner that alprazolam was mixed in the toddy and that she was responsible for the said mixing.

7. In the said circumstances, the petitioner who is aged around 54 years and more so in the background of the crime being registered in the month of February, 2021, the petitioner can be granted the relief of anticipatory bail.

8. Accordingly, the Criminal Petition is allowed and the petitioner/Accused shall be enlarged on bail in the event of her arrest subject to the following conditions:

i) The petitioner/Accused is directed to surrender before the Prohibition and Excise Station, Wanaparthi within ten days from today, and on such surrender, she shall be enlarged on bail on her executing personal bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties to the like sum each, to its satisfaction.

ii) The petitioner/Accused shall appear before the investigating authorities as and when required.

iii) The petitioner/Accused shall abide by the other conditions stipulated in Section 438(2) Cr.P.C.

Miscellaneous applications, pending if any, shall stand closed.

Date: 17.08.2022
ns

K.SURENDER, J