

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.7381 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 in S.C.No.117 of 2022 pending on the file of Special Sessions Judge for Trial of Cases under Narcotic Drugs and Psychotropic Substances Act-cum-I Additional Sessions Judge at Hanumakonda which arose out of Crime No.05 of 2022 of Railway Police Station, Khammam for the offence punishable under Section 20(b) read with Section 8(c) of Narcotic Drugs and Psychotropic Substance Act, 1985.

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

3. The facts of the case are that the petitioner was arrested by the Railway Police at Khammam for being in possession of 38 kgs

750 grams of ganja which was found in four bags beneath the berth where the petitioner was sitting.

4. Learned counsel for the petitioner submits that he has nothing to do with the said contraband; however, since he was found sitting on the berth, the petitioner was arrested without any basis.

5. Learned Assistant Public Prosecutor submits that the investigation is already complete and charge sheet is filed vide SC No.117 of 2022 before the Special Sessions Judge for Trial of Cases under Narcotic Drugs and Psychotropic Substances Act-cum-I Additional Sessions Judge at Hanumakonda. He further submits that there are no other pending cases against this petitioner.

6. In the said circumstances, for the reason of the charge sheet being filed, the petitioner can be granted the relief of regular bail.

7. Accordingly, the Criminal Petition is allowed and the petitioner/Accused is granted bail subject to the following conditions:

i) The petitioner/Accused shall execute personal bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) with two sureties for a

like sum each among which **one local and one native surety** to the satisfaction of I Additional Sessions Judge at Hanumakonda.

ii) The petitioner/Accused shall appear before the concerned Court on every date of hearing without fail, failing which the prosecution is at liberty to seek cancellation of bail granted to this petitioner/Accused.

iii) The petitioner/Accused shall abide by the other conditions stipulated in Section 437(3) of Cr.P.C.

Miscellaneous applications, pending if any, shall stand closed.

Date: 26.08.2022
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K.SURENDER, J