

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.7492 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.3 in Crime Occurrence Report No.76 of 2022 on the file of Prohibition and Excise Police Station, Bhadrachalam registered for the offence punishable under Section 8(c) read with Section 20(b)(ii)(c) of NDPS Act.

2. Heard learned counsel for the petitioner/Accused No.3 and the learned Public Prosecutor for the respondent-State. Perused the record.

3. The facts of the case are that on credible information on 22.03.2022 the Prohibition and Excise Station, Bhadrachalam personnel conducted vehicle checking near Rajupeta, during checking they noticed illegal possession and transportation of dry ganja. On seeing the police, this petitioner who is arrayed as Accused No.3 escaped from there and the police apprehended Accused Nos.1 & 2 and on checking they found in possession of 12 kgs of ganja.

4. Learned counsel for the petitioner submits that Accused Nos.1 and 2 from whom ganja was seized were released on bail by this Hon'ble Court vide Crl.Petition No.3751 of 2022. However, this is petitioner/Accused No.3 is absconding he surrendered before the concerned court on 26.07.2022 and he was sent to judicial custody on the same day. He further submits that the contraband seized is less than the commercial quantity.

5. Learned Assistant Public Prosecutor submits that there are no other cases pending against this petitioner.

6. In the said circumstances, the petitioner/Accused No.3 can be granted the relief of regular bail.

7. Accordingly, the Criminal Petition is allowed and the petitioner/Accused No.3 is granted bail subject to the following conditions:

i) The petitioner/Accused No.3 shall execute personal bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only) with two sureties for a like sum each among which one local surety and the other is native surety to the satisfaction of Judicial First Class Magistrate at Bhadrachalam.

ii) The petitioner/Accused No.3 shall appear before the investigating authorities as and when required.

iii) The petitioner/Accused No.3 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: 30.08.2022
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