

HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

CRIMINAL PETITION No.9057 of 2021

O R D E R:

This Criminal Petition under Sections 437 and 439 of Cr.P.C., is filed by petitioners – Accused Nos.3 and 4 in connection with Crime No.275 of 2021 of Narketpally Police Station, registered for the offence punishable under Section 20 (b)(ii)(C) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short “NDPS Act”), seeking bail.

2. The case of the prosecution is that on 30.09.2021 at 1330 hours near KIMS ‘Y’ Junction, when the police were conducting vehicle checking, they found petitioners in suspicious manner. On that police apprehended petitioner and on search, they found 24 Kgs of dry ganja in 3 bags. Police arrested the petitioners and seized the contraband under the cover of panchanama. Basing on the same, the present crime was registered.

3. Heard Sri Palle Sriharinath, learned counsel for petitioners and learned Assistant Public Prosecutor appearing on behalf of respondent-State.

4. Learned counsel for petitioners submits that it is alleged that 24 Kgs of dry ganja is seized in this case and petitioners are arrayed as A-3 and A-4. He submits that petitioners are unconnected with the alleged offence and they were implicated in this case. He submits that petitioners are languishing in jail from 30.09.2021 and the petitioners have no criminal

antecedents, as such their case may be considered for grant of bail.

4. *Per contra*, learned Assistant Public Prosecutor submits that A-1 and A-2 are absconding, investigating is pending and so far six witnesses were examined and at this stage, petitioners are not entitled for bail.

5. Taking into consideration the fact that petitioners are languishing in jail from 30.09.2021 and as nothing is forthcoming to show that petitioners are habitual offenders, this Court deems it appropriate to grant bail to the petitioners, however on certain conditions.

7. In the result, criminal petition is allowed and the petitioners/ A-3 and A-4 shall be enlarged on bail in connection with Crime No.275 of 2021 of Narketpally Police Station on their executing each a personal bond for a sum of Rs.1,00,000/- (Rupees one lakh only) with two sureties each for a like sum to the satisfaction of I Additional District and Sessions Judge, Nalgonda. On such release, petitioners shall appear before the police on every Sunday between 10.00 a.m. and 12.00 p.m. till completion of trial.

6th January, 2022

PVD

LALITHA KANNEGANTI, J

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

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06.01.2022

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