

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION Nos.9087, 9233 and 10011 of 2021

COMMON ORDER:

Criminal Petition Nos.9233 and 9087 of 2021, under Section 439 of the Code of Criminal Procedure, 1973 (Cr.P.C), are filed by the petitioners/A.1 and A.4, for grant of bail in Crime No.220 of 2021 of Kattangur Police Station, Nalgonda, registered for the offence punishable under Section 20(b)(ii)(C) of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short "NDPS Act").

2. Criminal Petition No.10011 of 2021, under Section 439 of Cr.P.C, is filed by the petitioners/A.1 and A.4, for grant of bail in Crime No.214 of 2021 of Kattangur Police Station, Nalgonda, registered for the offence punishable under Section 20(b)(ii)(C) of NDPS Act.

3. Heard the learned counsel for petitioners, learned Assistant Public Prosecutor appearing for the respondent-State and perused the record.

4. As seen from the material placed on record, in Crime No.220/2021 of Kattangur Police Station, 30 kgs of Ganja alleged to have been recovered from the possession of the accused therein. The said recovery was made pursuant to the confession

made by four persons. In Crime No.214/2021 of Kattangur Police Station, 88 kgs of ganja was alleged to have been recovered from the possession of A.5 and A.6 under recovery panchanama dated 27.09.2021. The petitioners/A.1 and A.4 in Criminal Petition No.10011 of 2021 are not the persons from whom the alleged recovery is made. Whether the ganja seized in the subject crimes is more than the commercial quantity or not, needs examination in the course of investigation or on conclusion of the trial, as the case may be. Having regard to the totality of the circumstances of the case, the petitioners/A.1 and A.4 in Crime No.220 of 2021 of Kattangur Police Station and the petitioners/A.1 and A.4 in Crime No.214 of 2021 of Kattangur Police Station, are entitled for grant of bail on the following terms and conditions.

5. Accordingly, the petitioners in Criminal Petition Nos.9087, 9233 and 10011 of 2021, are ordered to be released on bail, subject to the following terms and conditions:

- (i) The petitioners herein shall execute a personal bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) with two sureties each, out of which one surety shall be from the native of the petitioners herein, in a like sum each to the satisfaction of the learned Judicial Magistrate of First Class, at Nakrekal, Nalgonda. The petitioners herein have to

execute personal bonds and furnish sureties as ordered above, in two crimes separately.

- (ii) After release on bail, the petitioners herein shall appear before the Station House Officer, Kattangur Police Station, Rachakonda, on every Sunday between 10:00 AM and 11:00 AM till filing of charge sheet.
- (iii) During the bail period, the petitioners herein shall not indulge in any crime.
- (iv) The petitioners herein shall not, directly or indirectly, meddle with the investigation, intimidate or induce the witnesses, tamper the evidence and they shall cooperate with the Investigating Officer for smooth completion of the investigation.

6. Accordingly, Criminal Petition Nos.9087, 9233 and 10011 of 2021 are allowed.

Miscellaneous petitions, if any, pending in these Criminal Petitions, shall stand closed.

Date: 16th March, 2022
scs

Dr. SHAMEEM AKTHER, J