

HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

CRIMINAL PETITION No. 9234 of 2021

O R D E R:

This Criminal Petition under Sections 437 and 439 Cr.P.C. is filed by petitioner – Accused No. 1 in Crime No. 158 of 2021 on the file of Dindi Police Station, Nalgonda District registered for the offence punishable under Section 20(b)(ii)(A) of Narcotic Drugs and Psychotropic Substances Act, 1985, seeking bail.

2. The case of prosecution is that on 30.10.2021, while police were conducting general vehicle check on Jadcharla-Kodada Highway at Erraguntapally, at about 08.30 p.m., they found one person coming from Rahamanthapur Village towards Erraguntapally gate on one bike with a bag. It is alleged that the said person, on seeing the police, tried to escape from there and immediately police caught him and he revealed that he has ganja in his bag and confessed that he purchased the same from Accused Nos. 2 and 3.

3. Learned counsel for petitioner Sri K. Venumadhav submits that it is alleged that contraband of 20 kgs. is seized in this crime and petitioner was arrested and remanded to judicial custody on 30.10.2021 and since then, he has been languishing in jail. He submits that petitioner has been implicated in this case and contraband seized is not a commercial quantity, hence, the petitioner's case may be considered for grant of bail.

4. Learned Assistant Public Prosecutor, on the other hand, submits that so far, seven witnesses were examined and FSL report is awaited and investigation is still pending.

5. Taking into consideration the fact that contraband seized is not commercial quantity and as petitioner is languishing in jail since 30.10.2021, this Court deems it appropriate to grant bail to him, however, on certain conditions.

6. The Criminal Petition is therefore, allowed. Petitioner – Accused No. 1 shall be enlarged on bail in connection with Crime No. 158 of 2021 on the file of Dindi Police Station, on his executing a personal bond for a sum of Rs. 50,000/- (Rupees fifty thousand only) with two sureties for a like sum each to the satisfaction of Judicial Magistrate of I Class at Devarakonda, Nalgonda District. Petitioner – Accused No. 1 shall appear before the police concerned on every Sunday between 10.00 a.m. and 2.00 P.M. till completion of trial.

LALITHA KANNEGANTI, J

24th January 2022

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