

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.7935 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 petitioners who are arrayed as Accused Nos.2 to 4 in Crime Occurrence Report No.89 of 2022 pending on the file of Station House Officer, Prohibition and Excise Station, Uppal 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 petitioners/Accused Nos.2 to 4 and the learned Assistant Public Prosecutor for the respondent-State. Perused the record.

3. The case against these petitioners is that they were found by Uppal Prohibition and Excise on the road near Cable Chourasta, Ashok Nagar, Mallapur and it is alleged that they informed that they intended to purchase ganja from an unknown person coming in an unknown vehicle. Thereafter the police found Accused No.1 in a Car

who tried to escape from the police, however, he was apprehended and from his possession 125 kgs of dry ganja was seized.

4. Learned counsel for the petitioners submits that according to the excise police these petitioners were found on the road without having knowledge about the person or the vehicle in which the alleged seized contraband would be brought.

5. In the said circumstances, when the police have not collected any evidence to connect Accused No.1 and these petitioners except stating that these petitioners informed that an unknown person would be bringing some contraband, they can be granted the relief of regular bail.

6. Accordingly, the Criminal Petition is allowed and the petitioners/Accused Nos.2 to 4 are granted bail subject to the following conditions:

i) The petitioners/Accused Nos.2 to 4 shall execute personal bonds for a sum of Rs.50,000/- (Rupees Fifty Thousand only) each with two sureties for a like sum each (among which one local and

one native surety) to the satisfaction of III A.J.C.J-III Additional Metropolitan Magistrate at Medchal-Malkajgiri District at Malkajgiri.

ii) The petitioners/Accused Nos.2 to 4 shall appear before the concerned Station House Officer on every Monday between 10.30 AM and 01.00 PM for a period of three (03) months or until filing of charge sheet whichever is earlier.

iii) The petitioners/Accused Nos.2 to 4 shall abide by the other conditions stipulated in Section 437(3) of Cr.P.C.

7. Whatever is stated in the present petition will have no bearing at a subsequent date either during investigation or trial. The bail application is disposed on the present facts and circumstances.

Miscellaneous applications, pending if any, shall stand closed.

Date: 12.09.2022
ns

K.SURENDER, J