

HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

CRIMINAL PETITION No.9562 of 2021

ORDER:

This Criminal Petition under Sections 437 and 439 Cr.P.C. is filed by petitioners – Accused Nos.1 and 2 in Crime No.209 of 2021 on the file of Kodad Rural Police Station, Suryapet District, registered for the offence punishable under Section 20(b)(ii)(C) of Narcotic Drugs and Psychotropic Substances Act, 1985, seeking bail.

2. The case of prosecution is that on 08.10.2021 at 14.45 hours, while the Sub-Inspector of Police along with his staff was conducting patrolling duty near Ramapuram Cross roads, Nallabandagudem village, they found the accused carrying bags and moving on service road under suspicious circumstances, and on search, they seized 28 kgs of ganja from their possession under a cover of panchanama.

3. Learned counsel for petitioners Mr. M.A.K.Mukheed, submits that the petitioners were arrested on 09.10.2021 and they are languishing in jail from the last 116 days. He submits that the petitioners are unconnected with the alleged offences and they have been falsely implicated in this case. Learned counsel submits that the petitioners have no criminal antecedents and hence, their case may be considered for grant of bail.

4. On the other hand, learned Assistant Public Prosecutor submits that the investigation is pending and so far, 7 witnesses were examined. He submits that as the petitioners belong to Maharashtra State, if they are enlarged on bail, it is difficult for the prosecution to secure their

presence during the course of trial and hence, they are not entitled for bail.

5. Taking into consideration the fact that the petitioners are languishing in jail from the last 116 days and there is nothing forthcoming to show that petitioners have criminal antecedents, this Court deems it appropriate to grant bail to them, however, on certain conditions.

6. The Criminal Petition is therefore, allowed. Petitioners - Accused Nos.1 and 2 shall be enlarged on bail in connection with Crime No.209 of 2021 on the file of Kodad Rural Police Station, Suryapet District, on their executing a personal bond for a sum of Rs.50,000/- (Rupees fifty thousand only) each with two sureties for a like sum each to the satisfaction of the Additional Judicial First Class Magistrate at Suryapet FAC Additional Judicial First Class Magistrate at Kodad. Petitioners–Accused Nos.1 and 2 shall appear before the police concerned till completion of trial on every Sunday between 10.00 a.m. and 1.00 p.m. However, the petitioners shall not leave the State without prior permission of the Court below.

LALITHA KANNEGANTI, J

2nd February, 2022.
sj

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Date:02.02.2022

sj