

HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

CRIMINAL PETITION No. 9636 of 2021

ORDER:

This Criminal Petition under Sections 437 and 439 Cr.P.C. is filed by petitioner – Accused No. 3 in Crime No. 181 of 2021 on the file of Mothey Police Station, registered for the offence punishable under Section 20(b)(ii)(B) of Narcotic Drugs and Psychotropic Substances Act, 1985, seeking bail.

2. The case of prosecution is that on 05.10.2021, on reliable information, police party rushed to Mothey Bus Stand and found three persons ie. accused in this crime, who, on seeing them, tried to escape, but police chased and caught hold of them and seized three bags containing 15 ½ kgs. ganja and three mobile phones.

3. Learned counsel for petitioner Sri M.A.K. Mukheed submits that it is alleged that contraband of 15 ½ kgs. is seized in this crime and petitioner was arrested and remanded to judicial custody on 16.10.2021 and since then, he has been languishing in jail. He submits that as the contraband that is seized from the possession of petitioner is not commercial quantity and as petitioner has no criminal antecedents, his case may be considered for grant of bail.

4. Learned Assistant Public Prosecutor also does not dispute the fact that petitioner has no criminal antecedents.

5. Taking into consideration the fact that contraband seized in this crime is not a commercial quantity and further nothing is forthcoming to show that petitioner is a habitual

offender, this Court deems it appropriate to grant bail to him, however, on certain conditions.

6. The Criminal Petition is therefore, allowed. Petitioner – Accused No. 3 shall be enlarged on bail in connection with Crime No. 181 of 2021 on the file of Mothey 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 Additional Judicial First Class Magistrate, Suryapet. Petitioner – Accused No. 3 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

03rd January 2022

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