

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.8985 OF 2022

ORDER:

This Criminal Petition is filed under Sections 437 and 439 of the Code of Criminal Procedure, 1973 (for short "Cr.P.C."), seeking to enlarge the petitioner/accused No.1 on bail in connection with Crime No.66 of 2022 of Excise Police Station, Golconda, Hyderabad, registered for the offences punishable under Section 8(c) read with Section 20(b)(ii)(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short "N.D.P.S.Act").

2. Heard learned counsel for the petitioner/accused No.1 and learned Assistant Public Prosecutor for the respondent-State and perused the record.

3. The case of the prosecution is that on 05.09.2022 this petitioner was found in possession of 6.2 Kgs. of Ganja by the Excise Police, Golkonda Police Station, Hyderabad.

4. Learned counsel for the petitioner/accused No.1 submits that the seized Ganja is more than small quantity and less than commercial quantity, as such, requested for releasing the petitioner on bail.

5. On the other hand, the learned Assistant Public Prosecutor submits that there are two other cases in which the petitioner was

carrying Ganja of less than the commercial quantity and since the petitioner is a habitual offender, he cannot be granted relief on bail.

6. Since the contraband involved is less than commercial quantity, this Court is inclined to grant bail to the petitioner/accused No.1 on the following conditions:

- i) The petitioner/accused No.1 is directed to be released on bail on his executing personal bond for Rs.50,000/- (Rupees Fifty Thousand only) with two sureties for a like sum each to the satisfaction of the learned I Additional Metropolitan Sessions Judge, Hyderabad.
- ii) The petitioner/accused No.1 shall appear before the Excise Police, Golkonda Police Station, Hyderabad, on everyday at 09.00 A.M. till filing of charge sheet.
- iii) The petitioner/accused No.1 shall comply with the conditions as laid down under Section 437 (3) of Cr.P.C.

7. Accordingly, this Criminal Petition is allowed.

Miscellaneous applications, if any pending in this criminal petition, shall stand closed.

K.SURENDER, J

Date :22.10.2022

svl

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.8985 OF 2022

Dt.20.10.2022

SVL