

HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

CRIMINAL PETITION No. 10135 of 2021

ORDER:

This Criminal Petition under Sections 437 and 439 Cr.P.C. is filed by petitioner – Accused No. 1 in Crime No. 300 of 2021 on the file of Narketpally Police Station registered for the offence punishable under Section 20(b)(ii)(C) of the Narcotic Drugs and Psychotropic Substances Act, 1985, seeking bail.

2. Prosecution alleges that on 01.11.2021, when Sub-Inspector of Police along with constables conducting vehicle check at Gopalaipally Arch on NH-65 at Narketpally, apprehended the accused along with dry ganja weighting about 22 kgs. and basing on the complaint, Crime No. 300 of 2021 was registered.

3. Learned counsel for the petitioner Sri J.P. Srikanth submits that petitioner was arrested and remanded to judicial custody on 01.11.2021 and from the last 90 days, he has been languishing in jail. It is further stated that the petitioner is unconnected with the alleged offence and he has been implicated in this case. It is stated that petitioner is eking out his livelihood by running an auto and that he has no criminal antecedents, hence, his case may be considered for grant of bail.

4. On the other hand, learned Assistant Public Prosecutor submits that so far, six witnesses were examined and investigation is still pending. Hence, he submits that petitioner is not entitled for bail. He however, does not dispute the fact that petitioner has no criminal antecedents.

5. Taking into consideration the fact that contraband seized in this crime is 22 kgs. and as nothing is forthcoming to show that petitioner has criminal antecedents and as he has been languishing in jail from the last 90 days, this Court deems it appropriate to grant bail to him.

6. The Criminal Petition is therefore, allowed. Petitioner - Accused No. 1 shall be enlarged on bail in connection with Crime No. 300 of 2021 on the file of Narketpally 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 the Judicial I Class Magistrate for Prohibition & Excise Offences at Nalgonda. Petitioner – Accused No. 1 shall appear before the police till completion of trial on every Sunday between 10.00 a.m. and 1.00 p.m.

LALITHA KANNEGANTI, J

01st February 2022

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