

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.57 of 2022

ORDER:

This Criminal Petition is filed under Sections 437 and 439 of Criminal Procedure Code by the petitioners/A1 & A2 in Crime No.382 of 2021 of Bhadrachalam Town Police Station, Bhadrachalam District, registered for the offences punishable under Section 8(c) read with 20(b) of the NDPS Act, 1985.

2. The case of the prosecution is that on 22.09.2021 at the time of inspection by Bhadrachalam Town Police, Inspector found Ganja being transported in Mahindra Bolero vehicle in which the petitioners were present.

3. Learned Counsel for petitioners submits that the petitioners are in jail since 22.09.2021 and that the entire investigation is complete.

4. However, learned Assistant Public Prosecutor opposes for granting of bail petition on the ground that the investigation is almost complete but the police have to still apprehend A3 to A5 for which reason the petitioners' prayer for bail has to be refused.

5. In the background of the petitioners languishing in jail since 22.09.2021 and the only reason for delay in filing the charge sheet

is apprehension of the other accused, this Court is of the opinion that bail shall be granted to these petitioners.

6. Accordingly, the petitioners/A1 & A2 are directed to be released on bail on the following conditions.

- i. the petitioners/A1 & A2 are directed to be released on bail on their executing personal bonds for Rs.50,000/- (Rupees Fifty Thousand only) each with two sureties for alike sum each, among which one is local surety, to the satisfaction of the Judicial First Class Magistrate at Bhadrachalam.
- ii. After release on bail, the petitioners/A1 & A2 shall appear before the Investigating Officer on every Sunday between 10.00 a.m to 5.00 p.m., for a period of three months or till filing of the charge sheet whichever is earlier.
- iii. The petitioners/A1 & A2 shall not indulge in any activity attracting penal consequences, failing which the police are at liberty to file petition seeking cancellation of bail.
- iv. The petitioners/A1 & A2 shall comply with the conditions as laid down under Section 437 (3) of Cr.P.C.

Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, if any, pending shall stand closed.

10.06.2022
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K.SURENDER, J

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Dt.10.06.2022

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