

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.9840 OF 2022****ORDER:**

This Criminal Petition is filed under Section 438 of the Code of Criminal Procedure, 1973 seeking bail to the petitioner who is arrayed as Accused No.1 in the event of his arrest in Crime No.285 of 2022 on the file of Station House Officer, I Town Police Station, Nizamabad District, registered for the offence punishable under Section 20 (b) NDPS Act.

2. Heard learned counsel for petitioners/Accused No.1 and learned Additional Public Prosecutor for respondent-State. Perused the record.

3. The petitioner herein is apprehending his arrest on the basis of confession given by the accused Nos. 3 & 4 in the said crime. Accused Nos. 3 & 4 were found with 3.9 kilograms of ganja in their possession and pursuant to the confession that the said contraband was purchased from the petitioner, this petitioner is shown as accused No.1. Since the only basis for arraying this petitioner as accused No.1 is the confession of accused Nos. 3 & 4, this petitioner can be granted the relief of anticipatory bail.

4. Accordingly, the Criminal Petition is allowed and the petitioner/Accused No.1 shall be enlarged on bail in the event of his arrest subject to the following conditions:

i) The petitioner/Accused No.1 is directed to surrender before the Station House Officer, I Town Police Station, Nizamabad District within ten (10) days from today, and on such surrender, he shall be enlarged on bail on his executing personal bond for a sum of Rs.50,000/- (Rupees Fifty Thousand Only) with two sureties for a like sum each, to its satisfaction.

ii) On such release, the petitioner/Accused No.1 shall appear before the concerned Station House Officer on every Monday at 10.00 AM for a period of one month and thereafter as and when required for the purpose of investigation.

iii) The petitioner/Accused No.1 shall abide by the other conditions stipulated in Section 438(2) Cr.P.C.

Miscellaneous applications, if any, pending shall stand closed.

K.SURENDER, J

Date: 15.11.2022
PKR