

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION NO.6878 OF 2023****ORDER:**

1. This Criminal Petition is filed under Sections 437 and 439 of Code of Criminal Procedure, 1973 (for short “Cr.P.C”) seeking regular bail to the petitioners/Accused Nos.1 to 6 in FIR.No.63 of 2023 on the file of Kethepally Police Station, Nalgonda, registered for the offence under Section 8(c), 20 (b) (ii) (c) of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short ‘the NPDS Act’).
2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the respondent-State and perused the record.
3. The Kethepally Police of Nalgonda District while conducting checking at Korlapahda toll plaza stopped a private bus and in the said bus, they found these petitioners with bags. Suspecting that the bags are containing ganja requisition was given to Tahsildar for sending VRO’s to act as panchas. Thereafter, the

proceedings were conducted and ganja contraband was seized.

4. The recovery was made on 16.05.2023 and all these petitioners were remanded to judicial custody. On the same day, the petitioners were produced before the Magistrate. As seen from the inventory, the recovery from the 5th petitioner is 12kgs. and 6th petitioner is 6kgs. which are less than the commercial quantity.

5. Since it is specifically averred in the seizure panchnama that the petitioner Nos.5 and 6 were holding the contraband which is less than the commercial quantity, this Court deems it appropriate to grant the relief of regular bail to the petitioner Nos.5 and 6 subject to following conditions:

i) The petitioner Nos.5 and 6/Accused Nos.5 and 6 shall execute personal bond for a sum of Rs.25,000/- (Rupees Twenty Five thousand only) with two sureties i.e., one local surety and other from the native place, for a like sum each to the satisfaction of Additional Judicial First Class Magistrate at Nakrekal.

ii) The petitioner Nos.5 and 6/Accused Nos.5 and 6 after release shall appear before the concerned Station House Officer at 10:00 a.m. on every Monday for a period of eight weeks and thereafter, as and when required for the purpose of investigation.

iii) The petitioner Nos.5 and 6/Accused Nos.5 and 6 shall abide by the other conditions stipulated under Section 437(3) of Cr.P.C.

7. The prayer for regular bail as far as petitioner Nos.1 to 4/A-1 to A-4 is concerned is refused at this stage. However, they are at liberty to move the Court under changed circumstances.

8. Accordingly, this Criminal Petition is partly allowed. Miscellaneous applications, pending if any, shall stand closed.

K.SURENDER, J

Date: 11.09.2023
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THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO. 6878 OF 2023

Dt.11.09.2023

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