

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO.7897 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 petitioner/Accused No.2 in Crime No.21 of 2023 on the file of Dilawarpur Police Station, Nirmal District, registered for the offence under Section 8 (c) r/w. 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 Dilawarpur Police registered the case against the petitioner stating that on 24.03.2023, this petitioner and another were caught by the police while transporting 90 kgs of ganja. The packets were covered with brown colour plaster. Samples were drawn and sent to FSL and procedure prescribed under the Act was followed.

4. According to the remand report, the petitioner and two others went to Bhadrachalam and purchased 90 kgs of ganja from A4 and A5. While proceeding to Nanded, they were caught by the police.

5. Learned Public Prosecutor on instructions would submit that there are no other cases pending against this petitioner.

6. As seen from the remand report, since major part of the investigation is complete, the petitioner can be granted relief of regular bail since the petitioner is in jail since 24.03.2023.

7. In view of above, this Court deems it appropriate to grant the relief of regular bail, subject to following conditions:

i) The petitioner/Accused No.2 shall execute personal bond for a sum of Rs.1.00 lakh (Rupees one lakh only) with two sureties for a like sum each to the satisfaction of Additional Judicial Magistrate of First Class at Nirmal.

ii) The petitioner/Accused No.2 after release shall appear before the concerned Station House Officer at 10:00 a.m. on every Monday and Wednesday for a period of eight weeks or until the charge sheet is filed, whichever is earlier.

iii) The petitioner/Accused shall abide by the other conditions stipulated in Section 437(3) of Cr.P.C.

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

K.SURENDER, J

Date: 30.08.2023
kvs

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Dt.30.08.2023

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