

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.7611 of 2023

ORDER:

1. This Criminal Petition is filed under Section 438 of Cr.P.C. by the petitioner/Accused No.2 seeking anticipatory bail in the event of his arrest in connection with PCOR Crime.No.88 of 2023 on the file of Prohibition & Excise Station, Dhoolpet, Hyderabad, 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. A-1 was arrested by the Prohibition and Excise Station, Dhoolpet officials for being in possession of 1.2 kgs. of ganja. During investigation, it is alleged that A-1 confessed that the said ganja of 1.2 kgs was purchased from this petitioner.
4. Learned counsel for the petitioner would submit that apart from the said confession, there is no other evidence to connect to this petitioner.

5. On instructions, learned Additional Public Prosecutor would submit that there are no other cases pending against this petitioner.

6. Keeping in view the only basis in arraying the petitioner as an accused is confession made by A-1, the relief of anticipatory bail can be granted to this petitioner, subject to the following conditions:-

- 1) The petitioner/Accused No.2 is directed to surrender before the Station House Officer, Prohibition & Excise Station, Dhoolpet on 21.08.2023. Upon such surrender, the said Station House Officer shall release the petitioner/Accused No.2 on bail, on his executing personal bond for a sum of Rs.25,000/- (Rupees Twenty five Thousand only) with two sureties for a like sum each to his satisfaction.
- 2) On such release, the petitioner/Accused No.2 shall appear before the concerned Police everyday at 10:00 a.m. from 21.08.2023 till 28.08.2023 and thereafter, as and when required for the purpose of investigation.
- 3) The petitioner/Accused No.2 shall abide by the other conditions stipulated in Section 438(2) of Cr.P.C and shall co-operate with the Investigating Officer in investigating the case.

7. Accordingly, the Criminal Petition is allowed. Miscellaneous applications, if any pending in this criminal petition, shall stand closed.

Date : 18.08.2023
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K.SURENDER, J

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CRIMINAL PETITION No. 7611 of 2023
Dt.18.08.2022

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