

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION NO.7846 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 in COR.No.82 of 2023 on the file of Prohibition & Excise Station, Khammam-I, registered for the offence under Section 8 (c) r/w. 20 (b) 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 Prohibition & Excise Station Personnel were conducting searches in Bus Stand and they found this petitioner in possession of 8.620 kgs. of dry ganja. The said ganja was seized in accordance with the procedure prescribed under NDPS Act. The seizure happened on

24.06.2023 and thereafter, she was sent to judicial custody.

4. Learned counsel for the petitioner would submit that she is working as Labourer and there are no other criminal cases that are registered against her.

5. On instructions, learned Additional Public Prosecutor would submit that there are no other cases against the petitioner. The petitioner hails from Orissa and it is difficult to secure her presence.

6. Keeping in view the quantity seized is less than the commercial quantity and as there are no other cases pending against this petitioner, who is a woman, this Court deems it appropriate to grant the relief of regular bail, subject to following conditions:

i) The petitioner/Accused 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 the other from the Home town, for a like sum each to the satisfaction of Special Judicial Magistrate of First Class (For Prohibition and Excise Cases) at Khammam.

ii) The petitioner/Accused after release shall appear before the concerned Station House Officer at 10:00 a.m. on every Monday 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.

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

K.SURENDER, J

Date: 24.08.2023
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THE HON'BLE SRI JUSTICE K.SURENDER

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Dt.24.08.2023

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