

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.8555 of 2023

ORDER:

1. This Criminal Petition is filed under Section 438 of Cr.P.C. by the petitioners/Accused Nos.3 and 4 seeking bail in the event of their arrest in connection with Crime No.236 of 2023 on the file of Mangalhat Police Station, Hyderabad, registered for the offence under Section 8(c) r/w. 20 (b) (ii) (B) r/w. 27 of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'the NPDS Act').
2. Heard learned counsel for the petitioners and learned Assistant Public Prosecutor for the respondent-State and perused the record.
3. It is the case of the Police that they apprehended A-1 while he was in possession of 4 kgs. of ganja. In the confession of A-1, he stated that these petitioners who are his brothers were also involved in sealing ganja.
4. The implication of these petitioners is alleged confession of A-1. Apart from the said confession, there is no other investigation done by the Police to ascertain correctness or otherwise of the confession made by A-1.

5. Since there is no other evidence apart from the alleged confession of A-1, this Court deems it appropriate to grant the relief of anticipatory bail to the petitioners, subject to the following conditions:

- 1) The petitioners/Accused Nos.3 and 4 are directed to surrender before the Station House Officer, Mangalhat Police Station, Hyderabad, on 15.09.2023. On such surrender, the said Station House Officer shall release the petitioners on bail, on their executing personal bonds 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, petitioners/Accused Nos.3 and 4 shall appear before the concerned Station House Officer at 10.00 A.M everyday for a period of four weeks, for the purpose of investigation and thereafter, as and when required.
- 3) The petitioners/Accused Nos.3 and 4 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.

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

K.SURENDER, J

Date : 12.09.2023
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Dt.12.09.2023

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