

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION NO.9382 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.5 in Crime.No.248 of 2023 on the file of Langer House Police Station, 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'), 419, 420 of IPC and 27-A of NDPSAA.
2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the respondent-State and perused the record.
3. The case of the prosecution is that A-1 to A-3 were found in possession of ganja weighting 44 kgs and apprehended by the Langer House Police. During the course of investigation, the Police came to know that this petitioner who was working as Police Constable was assisting in transportation of ganja by providing his I.D.

card to A-1. A-1 used to show the said I.D. card to pass through the check post.

4. Learned counsel appearing for the petitioner would submit that this petitioner has nothing to do with accused from whom ganja was seized and this petitioner is falsely implicated on the basis of confession of A-1. Nothing is seized from the possession of the petitioner.

5. Learned Additional Public Prosecutor on instructions would submit that this petitioner had provided his I.D. card which would clearly indicate that he has conspired with the other accused for the purpose of transportation of ganja.

6. Keeping in view that the implication of this petitioner is on the basis of confession and also keeping in view that this petitioner was working as Police Constable, the relief of regular bail can be granted, more so, in view of major part of the investigation is complete, subject to following conditions:

- i) The petitioner/Accused No.5 shall execute personal bond for a sum of Rs.50,000/- (Rupees

Fifty thousand only) with two sureties for a like sum each to the satisfaction of Metropolitan Sessions Judge, Nampally, Hyderabad.

ii) The petitioner/Accused No.5 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 and thereafter, as and when required for the purpose of investigation.

iii) The petitioner/Accused No.5 shall abide by the other conditions stipulated under Section 437(3) of Cr.P.C.

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

Date: 27.09.2023
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K.SURENDER, J

THE HON'BLE SRI JUSTICE K.SURENDER

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Dt.27.09.2023

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