

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.9726 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.4 in S.C.No.46 of 2020, on the file of Metropolitan Sessions Judge-Cum-Designated Court for the trial of Cases under NDPS Act, R.R.District, registered for the offences under Section 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 petitioner who is arrayed as A-4 was earlier arrested in the present case and was sent to prison and bail was granted. However, on 26.08.2022, the petitioner was called absent and non bailable warrants were issued.
4. Learned counsel appearing for the petitioner would submit that as on the date of issuance of non-bailable warrants on 26.08.2022, he was remanded to judicial custody in other crime.

5. It is admitted that the petitioner was in prison on 26.08.2022, as such, the absence of the petitioner before the Court was beyond his control.

6. Keeping in view that earlier the petitioner was granted bail in the same case, he can be granted regular bail, subject to following conditions:-

i) The petitioner/Accused No.4 shall execute personal bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) with one surety, for a like sum each to the satisfaction of the Metropolitan Sessions Judge-Cum-Designated Court for the trial of Cases under NDPS Act, R.R.District.

ii) The petitioner/Accused No.4 after release shall appear before the concerned Court on every date of hearing.

(iii) The petitioner/Accused No.4 shall abide by the other conditions stipulated under Section 437(3) of Cr.P.C.

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

K.SURENDER, J

Date : 20.11.2023
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Dt.20.11.2023

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