

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.9994 of 2023

ORDER:

1. This Criminal Petition is filed under Section 438 of Cr.P.C. by the petitioner/Accused No.2 seeking bail in the event of his arrest in connection with Crime No.917 of 2023 on the file of Uppal Police Station, Rachakonda Commissionerate, Medchal-Malkajgiri District, registered for the offences under Sections 8 (c) r/w Section 20 (b) (ii) (B) of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'the NPDS Act').

2. Heard learned counsel for the petitioner and learned Assistant Public Prosecutor for the respondent-State and perused the record.

3. It is the case of the Police that on 23.08.2023 they have searched premises in New Bharath Nagar, Uppal and the said premises is pent house at 4th floor. Having entered into premises, the police found A-1 in possession of 10 kgs ganja and a weighing machine. In the said premises, the police seized the said ganja and also arrested A-1. During the course of investigation, in the confession of A-1, it was revealed that the petitioner was also involved.

4. Learned Additional Public Prosecutor on instructions would submit that there are no other criminal cases pending against this petitioner/Accused No.2.

5. The implication of this petitioner is on the basis of the statement given by A-1. Since there is no other evidence apart from the alleged confession of Accused No.1, this Court deems it appropriate to grant the relief of anticipatory bail to the petitioner, subject to the following conditions:

- 1) The petitioner/Accused No.2 is directed to surrender before the Station House Officer, Uppal Police Station, Rachakonda Commissionerate, Mechal-Malkajgiri District, on 20.10.2023. On such surrender, the said Station House Officer shall release the petitioner 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, petitioner/Accused No.2 shall appear before the concerned Station House Officer at 10.00 A.M everyday for a period of two weeks, for the purpose of investigation and thereafter, as and when required.
- 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.

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

Date : 13.10.2023
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K.SURENDER, J

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Dt.13.10.2023

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