

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.10719 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.1 in Crime.No.1386 of 2023 on the file of L.B.Nagar Police Station, Rachakonda, registered for the offence under Section 8(c) r/w. 20(b) (ii) (B) of the 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 case of the prosecution is that this petitioner was found in possession of 2.1 kgs. of ganja on 26.09.2023. The next day having followed the procedure, the petitioner was remanded to judicial custody.
4. Learned counsel for the petitioner would submit that the contraband seized is less than the commercial quantity and there are no other cases pending against this petitioner, as such, the relief of regular bail be granted.

5. Learned Assistant Public Prosecutor does not deny that there are no other cases pending against this petitioner and further submits that the petitioner is the resident of Bihar.

6. In the said circumstances of the case, since the contraband seized is intermediary quantity and there are no criminal antecedents against this petitioner, this Court deems it appropriate to grant the relief of regular bail, subject to following conditions:

i) The petitioner/Accused No.1 shall execute personal bond for a sum of Rs.50,000/- (Rupees Fifty thousand only) with two sureties i.e, one local surety and other from the native place, for a like sum each to the satisfaction of II Additional Metropolitan Magistrate, L.B.Nagar, R.R. District.

ii) The petitioner/Accused No.1 after release shall appear before the concerned Station House Officer, on every Monday at 10:00 a.m., for a period of eight weeks for the purpose of investigation and thereafter, as and when required.

iii) The petitioner/Accused No.1 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 : 03.11.2023
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Dt.03.11.2023

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