

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No. 10834 OF 2023

ORDER:

1. This Criminal Petition is filed under Section 438 of Cr.P.C. by the petitioner/Accused seeking bail in the event of his arrest in connection with P.R.No.135 of 2023 on the file of Prohibition & Excise Station, Utnoor, Adilabad District, registered for the offences under Sections 8 (b) r/w Section 20 (a) 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 Prohibition and Excise personnel, Utnoor found ganja being grown in an agricultural land at Choregaon Village area of Narnoor Mandal and seized 56 ganja plants.
4. The only ground raised by the learned counsel for the petitioner is that the Excise personnel on an assumption that this petitioner was responsible for raising ganja plants has named this petitioner as accused.
5. As seen from the panchanama, there are no specific details to show that this petitioner was in exclusive possession of this

land. In the said circumstances, this Court deems it appropriate to grant the relief of anticipatory bail, subject to the following conditions:-

- 1) The petitioner/Accused is directed to surrender before the Station House Officer, Prohibition and Excise, Utnoor, Adilabad District on or before 14.11.2023. Upon such surrender, the said Station House Officer shall release the petitioner/Accused on bail, on his executing personal bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) with two sureties for a like sum each to his satisfaction.
 - 2) On such release, the petitioner/Accused shall appear before the concerned Police at 10:00 a.m. on every Monday for a period of eight weeks for the purpose of investigation and thereafter, as and when required.
 - 3) The petitioner/Accused 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, the Criminal Petition is allowed. Miscellaneous applications, if any pending in this criminal petition, shall stand closed.

K.SURENDER, J

Date : 07.11.2023
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Dt.07.11.2023

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