

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.10920 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 petitioners/Accused Nos.1 and 2 in Crime.No.110 of 2023 on the file of Railway Police Station, Warangal, GRP Secunderabad, registered for the offence under Section 8 (c) r/w.20 (b) of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'the NPDS Act').

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

3. The Railway Police, Warangal while conducting search on the platform of Warangal Station on 12.07.2023, found these petitioner carrying bags. Suspecting the material contained in the bags, they were detained. A-1 was found with 15.5 kgs. of ganja and A-2 was found with 10.5 kgs. of ganja. The Police personnel having followed the procedure produced the petitioners before the Magistrate who has sent these petitioners to judicial remand on 13.07.2023.

4. Learned counsel for the petitioners would submit that even according to the remand report, the seizures from these petitioners is less than the commercial quantity. There are no other criminal antecedents against these petitioners.

5. The said fact is not disputed by the Additional Public Prosecutor.

6. Accordingly, since the contraband seized individually is less than the commercial quantity, the prayer for regular bail can be considered subject to following conditions:-

i) The petitioners/Accused Nos.1 and 2 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 the Judicial First Class Magistrate, for Railways at Kazipet, Warangal District, Telangana State.

ii) The petitioners/Accused Nos.1 and 2 after release shall appear before the concerned Station House Officer, on every Monday and Wednesday at 10:00 a.m., for a period of eight weeks for the purpose of investigation and thereafter, as and when required.

iii) The petitioners/Accused Nos.1 and 2 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.

Date : 09.11.2023
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K.SURENDER, J

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