

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.10905 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.2 and 3 in Crime.No.355 of 2023 on the file of Amberpet Police Station, Hyderabad, registered for the offence under Section 8(c) r/w. 20 (b) (ii) (B) of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'the NPDS Act').
2. Heard learned counsel for the petitioner online and learned Assistant Public Prosecutor for the respondent-State and perused the record.
3. The Amberpet Police apprehended these petitioners who are arrayed as A-2 and A-3 and also A-1. From all the three accused 5 kgs. of ganja was seized. According to the complaint, procedure prescribed under NDPS Act was followed and the petitioners were remanded to judicial custody. After seizure, the property was produced before the concerned Magistrate on 03.08.2023.

4. Learned counsel appearing for the petitioners would submit that the contraband seized is less than the commercial quantity and there are no other cases pending against these petitioners.

5. Learned Additional Public Prosecutor does not dispute that there are no other cases pending against these petitioners.

6. Keeping in view that the contraband seized is intermediary quantity, these petitioners can be granted the relief of regular bail, subject to following conditions:-

i) The petitioners/Accused Nos.2 and 3 shall execute personal bond for a sum of Rs.50,000/- (Rupees Fifty thousand only) with two sureties, for a like sum each to the satisfaction of IV Additional Chief Metropolitan Magistrate, Nampally, Hyderabad.

ii) The petitioners/Accused Nos.2 and 3 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.2 and 3 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 : 08.11.2023
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K.SURENDER, J

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Dt.08.11.2023

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