

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.11097 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.5 in S.C.No.86 of 2022 on the file of Special Judge for trial of Cases under Narcotic Drugs and Psychotropic Substances Act-Cum-I Additional Sessions Judge, Khammam, registered for the offence under Section 8 (c) r/w.20 (b) 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 the Police on 29.09.2021 found this petitioner along with others in possession of Kg.170.190 gms of ganja. On the basis of confession of A-1 to A-4, it was known to the Investigating Officer that this petitioner and three others were responsible for providing said ganja.
4. Apart from the said confession of A-1 to A-4, according to the learned counsel for the petitioner there are no other

allegations. However, this petitioner was remanded to judicial custody on 30.08.2021 and bail was granted on 06.05.2022. Since this petitioner had no means to furnish sureties, bail granted was cancelled and he is in jail since then.

5. Since it is stated that A-1 to A-4 were already granted bail, this petitioner was also granted bail on 06.05.2022, however, on account of his inability to furnish sureties, he was not released, the prayer can be considered.

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

- i) The petitioner/Accused No.5 shall execute personal bond for a sum of Rs.10,000/- (Rupees Ten thousand only) with two sureties, for a like sum each to the satisfaction of the Special Judge for trial of Cases under Narcotic Drugs and Psychotropic Substances Act-Cum-I Additional Sessions Judge, Khammam.
- ii) The petitioner/Accused No.5 after release shall appear before the concerned Court on every date of hearing.
- iii) The petitioner/Accused No.5 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 : 15.11.2023
dv

K.SURENDER, J

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.11097 of 2023
Dt.15.11.2023

dv

