

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.11516 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.469 of 2023 on the file of Prohibition & Excise Station, Shamshabad, Ranga Reddy District, registered for the offences 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 and learned Additional Public Prosecutor for the respondent-State and perused the record.
3. The allegation of the prosecution is that total quantity of 28 kgs of ganja was recovered from petitioner's possession. On the basis of information provided by this petitioner, A-2 was implicated in this case. Since there was no recovery from A-2, the Sessions Court had granted bail to A-2 by order dated 19.09.2023

4. Learned counsel appearing for the petitioner would submit that there is violation of Sections 42 and 52 of NDPS Act for which reason, bail has to be granted.

5. On the other hand, learned Additional Public Prosecutor would submit that the investigation is complete and charge sheet is filed. However, none of the provisions of NDPS Act are violated, it is the question of trial.

6. Keeping in view that entire investigation is complete and there are no other cases pending against this petitioner, the relief of regular bail can be considered, 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, for a like sum each to the satisfaction of the Judicial Magistrate of First Class at 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 and thereafter, as and when required, for the purpose of investigation.

(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.

Date : 23.11.2023
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K.SURENDER, J

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Dt.23.11.2023

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