

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION NO.11539 OF 2023****ORDER:**

1. This Criminal Petition is filed under Section 438 of Cr.P.C. by the petitioner/Accused No.5 seeking bail in the event of his arrest in connection with Crime No.167 of 2023, on the file of Mangalhat Police Station, Hyderabad, registered for the offence under Section 8(c) r/w. 20(b) (ii) (c) 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 Police Mangalhat kept surveillance on receiving information regarding illegal sale and possession of ganja by four persons and found this petitioner and two others with 22 kgs. of ganja. Having followed the procedure for seizure, this petitioner and others were arrested. According to the remand report, A-1 procured 22 kgs. of ganja in 10 packets from one Narayana, who is shown as

A-6 in the remand report few days prior to 27.05.2023. On 27.05.2023, A-1 had taken assistance of petitioner No.2 and two others for selling ganja to customers.

4. Even according to the prosecution, it was A-1, who had procured ganja few days prior to 27.05.2023. This petitioner and others according to the prosecution were not aware of procuring ganja. However, their assistance was taken by A-1 for selling ganja at Mangalhat.

5. Accused Nos.2 and 4 were granted bail in CrI.P.No.7943 of 2023. Since this petitioner also stands on the same footing and there is no recovery made from this petitioner, this Court deems it appropriate to grant the relief of regular bail, subject to following conditions:-

- 1) The petitioner/Accused No.5 is directed to surrender before the Station House Officer, Mangalhat Police Station, Hyderabad, on or before 04.12.2023. 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.20,000/- (Rupees Twenty Thousand only) with two sureties for a like sum each to his satisfaction.

2) On such release, the petitioner/Accused No.5 shall appear before the concerned Police at 10:00 a.m. everyday for a period of three weeks for the purpose of investigation and thereafter, as and when required.

3) The petitioner/Accused No.5 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, this Criminal Petition is allowed. Miscellaneous applications, pending if any, shall stand closed.

Date: 24.11.2023
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K.SURENDER, J

THE HON'BLE SRI JUSTICE K.SURENDER

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Dt.24.11.2023

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