

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

**TUESDAY, THE TWENTY EIGHTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY THREE**

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 11646 OF 2023

Between:

Chandan Kumar, S/o. Radhe Prasad Yadav, occ. Coolie, R/o. Ukhara Nalandha,
Bihar State.

...Petitioner/Accused no.1

AND

The State of Telangana, Through SHO, Proh. and Excise Station Khammam II,
Rep by Public Prosecutor, High Court for the State of Telangana, At Hyderabad.

...Respondent

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to enlarge the petitioner on bail in connection with COR.NO 178 of 2023 on the file of Prohibition and Excise Station, Khammam II.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri Gajanand Chakravarthi, Advocate for the Petitioner and the Public Prosecutor for the State of Telangana on behalf of the Respondent No. 1 and None Appeared.

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.11646 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 COR No.178 of 2023, on the file of the P.S., Prohibition and Excise, Khammam-II, registered for the offence punishable under Section 8(c) r/w 20(b)(ii)(c) of NDPS 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 Prohibition and Excise Inspector, Khammam-II is that this petitioner was found in possession of 16Kgs of Ganja on 17.10.2023. He along with others were arrested and remanded to judicial custody.
4. Learned counsel for the petitioner would submit that the petitioner was falsely implicated. Even otherwise, the quantity alleged is less than the commercial quantity and there are no other criminal cases against this petitioner.

5. The fact that there are no other criminal cases against this petitioner is not disputed by the learned Additional Public Prosecutor.

6. Keeping in view that the quantity is intermediate quantity and there are no criminal antecedents, the prayer for regular bail is considered, subject to the 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, i.e. one local surety and other from the native place, for a like sum each to the satisfaction of the Special Judicial Magistrate of First Class (For Prohibition and Excise Cases) at Khammam.
- ii) The petitioner/accused No.1 after release shall appear before the concerned Station House Officer on every Monday and Wednesday for a period of four (04) 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 in Section 437(3) of Cr.P.C.

7. Accordingly, this Criminal Petition is allowed.
Miscellaneous applications, pending if any, shall stand closed.

SD/- P.PADMANABHA REDDY
ASSISTANT REGISTRAR



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SECTION OFFICER

To,

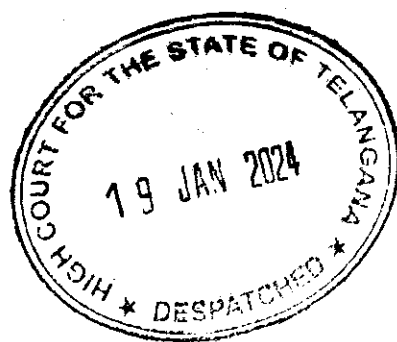
1. The file of Prohibition and Excise Station, Khammam II.
2. The S.H.O Prohibition and Excise Station Khammam II
3. One CC to SRI. GAJANAND CHAKRAVARTHI, Advocate [OPUC]
4. Two CC's to the Public Prosecutor, High Court for the State of Telangana, Hyderabad. [OUT]
5. Two CD Copies

SWT



HIGH COURT

DATED: 28/11/2023



ORDER

CRLP.No.11646 of 2023

CRIMINAL PETITION IS ALLOWED

⑧ vlv
10/1/24