

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.11667 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.3 in Crime.No.937 of 2023 on the file of the KPHB Police Station, Kukatpally Division, Cyberabad, registered for the offences under Section 21(b) of NDPS Act, 1985.
2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the respondent-State and perused the record.
3. The Police, KPHB Police Station arrested this petitioner and another for being in possession of Cocaine. It is alleged that 3gms was found in the possession of this petitioner and other accused who is arrayed as accused No.2. According to the prosecution, accused No.2 had brought 7gms of Cocaine from Goa and handed over 3gms to this petitioner.
4. Learned counsel for the petitioner would submit that the quantity is not commercial quantity and even according to the prosecution, 3gms was handed over by accused No.2. He further submits that the petitioner is not a peddler and that the petitioner

has been falsely implicated even though the drug might have been handed over for the purpose of consumption.

5. Learned Additional Public Prosecutor on instructions would submit that there are no other cases against this petitioner.

6. Keeping in view that the petitioner is a consumer and there are no other criminal antecedents against the petitioner, this Court deems it appropriate to grant the relief of regular bail, subject to following conditions:-

i) The petitioner/Accused No.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 the IV Additional Junior Civil Judge-cum-XV Additional Metropolitan Magistrate, Cyberabad at Kukatpally.

ii) The petitioner/Accused No.3 after release shall appear before the concerned Station House Officer at 10:00 a.m. on every Monday and Wednesday for a period of eight (08) weeks and thereafter, as and when required, for the purpose of investigation.

(iii) The petitioner/Accused No.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 : 01.12.2023
gvl/pvt

K.SURENDER, J

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Dt.01.12.2023

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