

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION NO.12256 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.2 in Crime No.692 of 2023, on the file of Chandanagar Police Station, Cyberabad, registered for the offence punishable 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 petitioner and another were found in possession of 90 kgs. of ganja on 25.08.2023 and they were remanded to judicial custody on 26.08.2023.
4. The only ground raised by the learned counsel for the petitioner is that sampling and endorsing the inventory was done on 04.11.2023, with a delay of nearly 70 days.

5. Keeping in view that there is violation of directions of the Hon'ble Supreme Court in ***Union of India v. Mohan Lal and Another***¹, this Court deems it appropriate to grant the relief of regular bail, subject to following conditions:

i) The petitioner/accused No.2 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 IX Additional Metropolitan Magistrate, Cyberabad at Kukatpally.

ii) The petitioner/accused No.2 after release shall appear before the concerned Station House Officer at 10:00 a.m. on every Monday for a period of eight weeks and thereafter, as and when required for the purpose of investigation.

iii) The petitioner/accused No.2 shall abide by the other conditions stipulated in Section 437(3) of Cr.P.C.

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

K.SURENDER, J

Date: 21.12.2023
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¹ (2016) 3 SSC 379

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Dt.21.12.2023

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