

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.12130 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.258 of 2023 on the file of Mangalhat Police Station, Hyderabad, registered for the offences under Sections 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. A-1 and A-3 were found in possession of 6 kgs. of ganja. During the course of investigation, A-1 confessed that this petitioner was involved in selling ganja. On the basis of the said information, this petitioner was shown as A-3 in the remand report of A-1. Thereafter, the petitioner moved for anticipatory bail vide CrI.P.No.9444 of 2023 and this Court by order dated 13.10.2023 directed the petitioner to surrender before the concerned Court.

4. Learned counsel appearing for the petitioner would submit that petitioner surrendered on 20.11.2023 and was remanded to judicial custody. On an application filed before the learned Sessions Judge, the bail was refused by order dated 24.11.2023.

5. Keeping in view that the only basis for implication of this petitioner is confession of A-1 and A-2 and furthermore, there being no other cases against this petitioner, the relief of regular bail can be considered, 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 II Additional Metropolitan Sessions Judge, Hyderabad.
- ii) The petitioner/Accused No.3 after release shall appear before the concerned Station House Officer on every Monday at 10:00 a.m. for a period of eight weeks for the purpose of investigation and thereafter, as and when required.
- iii) The petitioner/Accused No.3 shall abide by the other conditions stipulated under Section 437(3) of Cr.P.C.

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

K.SURENDER, J

Date : 13.12.2023
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Dt.13.12.2023

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