

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.12224 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 petitioners/Accused Nos.2 & 3 in Crime.No.259 of 2023 on the file of Mancahal Police Station, Rachakonda, 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 petitioners and learned Additional Public Prosecutor for the respondent-State and perused the record.

3. The case of the prosecution is that on 08.10.2023, Manchal Police personnel received information regarding transportation of ganja. Accordingly, they went to Agapally cross roads and found these petitioners, along with a juvenile in possession of kg.20. 700 gms of dry ganja. On seeing the Police, they tried to flee from the place. However, they were caught. Following the due procedure prescribed under NDPS Act, the petitioners were remanded to judicial custody.

4. Learned counsel appearing for the petitioner would submit that a claim is made that 20 kgs. was seized from the accused, however, it is not specified as to from whom the contraband was seized.

5. Learned Additional Public Prosecutor would submit that due procedure has been followed and the quantity seized is commercial quantity.

6. Keeping in view that major part of the investigation is complete and petitioners are students, they can be granted the relief of regular bail, more so, for the reason of therein being no criminal antecedents of the petitioners, subject to following conditions:-

i) The petitioners/Accused Nos.2 & 3 shall execute personal bond for a sum of Rs.50,000/- (Rupees Fifty thousand only) with two sureties i.e., one local surety and the other from the native place, for a like sum each to the satisfaction of the II Metropolitan Magistrate-Cum-Juvenile Justice Court, Cyberabad at L.B.Nagar.

ii) The petitioners/Accused Nos.2 & 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 petitioners/Accused Nos.2 & 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 : 15.12.2023
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K.SURENDER, J

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Dt.15.12.2023

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