

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.12364 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 Crime.No.310 of 2023 on the file of Habeeb Nagar Police Station, Hyderabad, registered for the offences under Sections 8 (c) r/w. 22(c) 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 case of the Police is that on information they went to the premises of this petitioner and conducted search. During search, Nitrovet 10 mg. tablets containing Nitrazepam, a NDPS substance, Codeine Phosphate and Chlorpheniramine Maleate Syrup with brand name of Eskuf were found.
4. Learned counsel for the petitioner would submit that even accepting seizure was made, each table contains 10 mg. of Nitrazepam, in all, Nitrazepam substance found was 33 gms which is intermediary quantity.

5. Learned Additional Public Prosecutor does not dispute that 33 gms of Nitrazepam is intermediary quantity.

6. Keeping in view that petitioner was arrested on 05.11.2023 and there are no other criminal antecedents of the petitioner, the relief of regular bail can be considered, subject to 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, for a like sum each to the satisfaction of the XVI Additional Chief Metropolitan Magistrate, at Hyderabad.

ii) The petitioner/Accused No.1 after release shall appear before the concerned Station House Officer on every Monday and Wednesday at 10:00 a.m. for a period of six weeks for the purpose of investigation and thereafter, as and when required.

iii) The petitioner/Accused No.1 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.

K.SURENDER, J

Date : 27.12.2023

dv

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.12364 of 2023
Dt.27.12.2023

dv