

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION NO.12558 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.597 of 2023, on the file of Jagadgirigutta Police Station, Medchal District, registered for the offence punishable under Section 20 (b) (ii) (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 prosecution is that this petitioner and another were found in possession of 1460 grams of liquid ganja. Accordingly, the petitioner was remanded to judicial custody.

4. Learned counsel appearing for the petitioner would submit that though seizure was effected on 29.07.2023 itself, till date sampling had not taken place.

5. Learned Additional Public Prosecutor would submit that inventory was acknowledged and sampling was done on 16.09.2023.

6. The sampling and certification of inventory has to be done immediately as per the directions of the Hon'ble Supreme Court in ***Union of India v. Mohan Lal and Another***¹.

7. Keeping in view that there is violation of directions of the Hon'ble Supreme Court in ***Mohan Lal's*** case, 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 I Additional District and Sessions Judge-Cum-Metropolitan

¹ (2016) 3 SSC 379

Sessions Judge, Medchal-Malkajgiri District at Malkajgiri.

ii) The petitioner/accused No.2 after release shall appear before the concerned Station House Officer at 10:00 a.m. every Monday and Wednesday for a period of four 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.

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

K.SURENDER, J

Date: 22.12.2023
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THE HON'BLE SRI JUSTICE K.SURENDER

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Dt.22.12.2023

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