



Crl.O.P.No.27758 of 2024

A.D.JAGADISH CHANDIRA, J.

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This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 07.07.2024, seeking bail in Crime No.101 of 2024 for the alleged offences punishable under Sections 8(c), 22(b) and 29(1) of NDPS At 1985.

2. The case of the prosecution is that the petitioner along with other accused were found in possession of 30 grams of MDMA tablets, which is a commercial quantity.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He also submitted that the petitioner has not committed any offence as alleged by the prosecution, however, he is in custody from 07.07.2024. He further submitted that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.



4. Learned Government Advocate (Criminal Side) appearing for the respondent police vehemently opposed for granting bail to the petitioner stating that the petitioner along with other accused were found in possession of 30 grams of MDMA tablets, which comes under the commercial quantity. He further submit that, petitioner hails from other state and if he released on bail, there is possibility of abscondance.

5. Heard both sides and perused the materials available on record.

6. Considering the fact that the contraband seized from the petitioner is a commercial quantity, this Court is of the view that the petitioner has not satisfied the twin conditions as contemplated under Section 37 of NDPS Act. Hence, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the Criminal Original Petition stands dismissed.

13.11.2024

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Crl.O.P.No.277



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