

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION Nos.92 AND 161 OF 2024

COMMON ORDER:

1. These Criminal Petitions are 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.1 and 5 in NDSC No.240 of 2022 on the file of Metropolitan Sessions Judge-cum-Designated Court for the trial of offences under NDPS Act, at Malkajgiri, Medchal Malkajgiri District, registered for the offences under Sections 8 (c) r/w Section 22(c), 27A, 28 and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'the NPDS Act').
2. Since these bail petitions are arising out of NDSC No.240 of 2022, both the criminal petitions are heard together and disposed off by way of this common order.
3. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the respondent-State and perused the record.
4. Earlier, this Court, *vide* order dated 03.01.2024, granted the relief of regular bail to accused Nos.3 and 4 on the ground that respondent-NCB authorities failed to conclude the trial

though they undertook to complete the trial expeditiously before this Court and also before the Hon'ble Supreme Court.

5. Learned counsel for the petitioners submitted that on the ground of parity and also in view of the reasons mentioned in the bail order of accused Nos.3 and 4, these petitioners are also entitled to the relief of regular bail.

6. Learned counsel appearing for NCB has filed counter and he undertook to conclude trial once again.

7. Since other accused were already released on bail, this Court deems it appropriate to release the petitioners on the ground of parity, subject to following conditions:-

- i) The petitioners/Accused Nos.1 and 5 shall execute personal bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) with two sureties each, for a like sum each to the satisfaction of the Metropolitan Sessions Judge-cum-Designated Court for the trial of offences under NDPS Act, at Malkajgiri, Medchal Malkajgiri District.
- ii) The petitioners/Accused Nos.1 and 5 after release shall appear before the concerned Court on every date of hearing.

iii) The petitioners/Accused Nos.1 and 5 shall abide by the other conditions stipulated under Section 437(3) of Cr.P.C.

8. Accordingly, these Criminal Petitions are allowed. Miscellaneous applications, if any pending in these criminal petitions, shall stand closed.

Date : 08.01.2024
dgr/plp

K.SURENDER, J

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Dt.08.01.2024

Dgr/plp