

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION Nos.191 & 222 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 2 respectively in C.O.R.No.249 of 2023 on the file of the Prohibition and Excise Station, Ghanpur, registered for the offence under Sections 8 (c) read with 20(b) (ii) (B) of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'the NDPS Act').
2. Since the petitioners in both the petitions are accused Nos.1 and 2 respectively in the very same crime, both the petitions are heard together and disposed off by this common order.
3. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the respondent-State and perused the record.
4. The petitioners were arrested on 27.11.2023 for being in possession of 8kgs. of dry ganja by the Prohibition and Excise Station personnel of Ghanpur, Jangaon District.
5. Learned counsel appearing for the petitioners would submit that the procedure prescribed under the NDPS Act was not

followed and the quantity seized from the petitioners is intermediary quantity.

6. On the other hand, learned Additional Public Prosecutor on instructions would submit that no other criminal cases are pending against these petitioners.

7. Keeping in view that there are no criminal antecedents against the petitioners and since the contraband seized is intermediary quantity, this Court is inclined to grant the relief of regular bail, subject to following conditions:-

- i) The petitioners/accused Nos.1 and 2 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 Principal District and Sessions Judge at Jangaon District at Jangaon.
- ii) The petitioners/accused Nos.1 and 2 after release shall appear before the concerned Station House Officer on every Monday and Wednesday 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.1 and 2 shall abide by the other conditions stipulated under Section 437(3) of Cr.P.C.

8. Accordingly, these Criminal Petitions are allowed.

Miscellaneous applications, pending if any, shall stand closed.

K.SURENDER, J

Date : 09.01.2024
dv/tmk

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Dt.09.01.2024

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