

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION Nos.411, 413 & 414 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, 3 and 2 respectively in C.O.R.No.284 of 2023 on the file of Prohibition & Excise Station, Khammam-I, Khammam District, registered for the offences under Section 8 (c) r/w 20 (b) of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'the NPDS Act').
2. Since the petitioners in both the petitions are accused Nos.1, 3 and 2 respectively in the very same crime, all 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 Prohibition and Excise personnel, Khammam conducted raid and found these petitioners in possession of ganja. A-1 was found in possession of kg.12.520 gms of ganja, A-2 found in possession of kg.10.480 gms. and A-3 was found in possession of kg.7.145 kgs. of ganja.

5. Learned counsel appearing for the petitioner would submit that the quantity of contraband seized is less than commercial quantity and there are no questionable antecedents against these petitioners.

6. On instructions, learned Additional Public Prosecutor would submit that there are no other cases pending against these petitioners and they belong to the State of Uttar Pradesh.

7. Since the quantity of contraband seized is less than the commercial quantity and also there are no criminal antecedents against these petitioners, the relief of regular bail can be considered, subject to following conditions:-

i) The petitioners/Accused Nos.1, 3 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 other from the native place for a like sum each to the satisfaction of Judicial First Class Magistrate (for Prohibition & Excise Cases) at Khammam.

ii) The petitioner/Accused Nos.1, 3 and 2 after release shall appear before the concerned Station House Officer on every Monday at 10:00 a.m. for a period of eight weeks and thereafter, as and when required for the purpose of investigation.

iii) The petitioners/Accused Nos.1, 3 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 : 11.01.2024

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Dt.11.01.2024

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