

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.431 OF 2024

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.45 in Crime.No.958 of 2023 on the file of S.R.Nagar Police Station, Hyderabad, registered for the offence under Section 8 (c) r/w. 20 (a) of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'the NPDS Act') and 27 and 29 of NDPSA Act
2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the respondent-State and perused the record.
3. The S.R.Nagar Police during the course of investigation arrested this petitioner and found 1 gm. of cocaine in his possession. The said drug was seized and on interrogation, it was revealed that this petitioner earlier worked in Goa and was already known to A-1. He used to procure drugs from A-1 and sell at higher rates in Hyderabad.
4. Learned counsel appearing for the petitioner would submit that 1 gm. of cocaine is less than commercial quantity and bailable offence.

5. On the other hand, learned Additional Public Prosecutor would submit that investigation revealed that this petitioner was visiting Goa and meeting A-1 from whom he used to procure drugs and sell them. Though there are no other cases pending against this petitioner, he is identified as peddler.

6. Keeping in view that there are no other cases against this petitioner and the cocaine seized from this petitioner is less than small quantity, for which punishment prescribed is one year, this Court deems it appropriate to grant the relief of regular bail, subject to following conditions:-

i) The petitioner/Accused No.45 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 the III Additional Metropolitan Magistrate, Nampally, Hyderabad.

ii) The petitioner/Accused No.45 after release shall appear before concerned Station House Officer at 10:00 a.m. on every Monday for a period eight weeks for the purpose of investigation and thereafter, as and when required.

iii) The petitioner/Accused No.45 shall abide by the other conditions stipulated under Section 437(3) of Cr.P.C.

7. Accordingly, this Criminal Petition is allowed. Miscellaneous applications, if any pending in this criminal petition, shall stand closed.

Date : 11.01.2024
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K.SURENDER, J

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Dt.11.01.2024

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