

THE HONOURABLE DR.JUSTICE G.RADHA RANI

CRIMINAL PETITION No.1062 of 2024

ORDER:

This Criminal Petition is filed under Sections 437 and 439 of Cr.P.C. by the petitioner-accused No.4 seeking to release him on regular bail in Crime No.98 of 2023 on the file of Langer House Police Station, Hyderabad, registered for the offences punishable under Sections 8 (c) r/w 20 (b) (ii) (C) of Narcotic Drugs and Psychotropic Substances Act, 1985.

2. The case of the prosecution in brief was that on 18.03.2023 the Sub Inspector of Police, Langer House Police Station while conducting vehicle checking at about 14:00 hours at Pillar No.110, found an Eicher DCM vehicle with three persons. On checking, he found 100 brown colour wrapped packets and seized 200 kgs of ganja from the possession of accused Nos.1 to 3. Accused No.1 on confession stated that they were transporting ganja to supply to accused No.4. Basing on the report lodged by the Sub Inspector, a case in Crime No.98 of 2023 was registered for the above offences.

3. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the respondent-State.

4. Learned counsel for the petitioner/Accused No.4 submitted that the petitioner was arrested in Crime No.471 of 2023 by the Police Jeedimetla, Cyberabad for the offence under Section 29 (b) (ii) (c) of NDPS Act which was numbered as SC.NDPS No.93 of 2023 and later on, he was produced in the present case on PT warrant on 22.11.2023.

No contraband was recovered from the possession of the petitioner. The petitioner was not present at the scene of offence and also at the time of alleged recovery of contraband from the possession of accused Nos.1 to

5. Further accused Nos.1 to 3 were granted bail by the learned I Additional Metropolitan Sessions Judge, Hyderabad and prayed to enlarge the petitioner on bail.

6. The learned Additional Public Prosecutor opposed grant of bail to the petitioner-accused No.4, as he was involved in another offence of similar nature.

7. Perused the record. Considering that no contraband was seized from the possession of petitioner and he was not present at the scene of

offence and accused Nos.1 to 3 were already released on bail, it is considered a fit case for grant of bail to the petitioner.

8. In the result, the Criminal Petition is allowed and the petitioner/accused No.4 is granted regular bail subject to the following conditions:

i) The petitioner/Accused No.4 shall execute a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five thousand only) with two sureties for a like sum each to the satisfaction of the learned VI Additional Chief Metropolitan Magistrate at Hyderabad.

ii) The petitioner/Accused No.4 shall abide by the conditions stipulated in Section 437(3) of Cr.P.C.

Miscellaneous applications, if any pending, shall stand closed.

Dr. G.RADHA RANI, J

Date : 19.02.2024
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