

THE HONOURABLE DR.JUSTICE G.RADHA RANI

CRIMINAL PETITION No.1277 of 2024

ORDER :

This Criminal Petition is filed by the petitioner-accused No.6 under Sections 437 and 439 of Code of Criminal Procedure, 1973 (for short, 'Cr.P.C.') for grant of regular bail in Crime No.35 of 2024 of S.R. Nagar Police Station, registered for the offences under Sections 8(c) read with 20(b)(ii)(B), 27 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act').

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

3. Learned counsel for the petitioner submitted that on the confession of accused No.1, the Investigating Officer proceeded to the house of accused Nos.3 and 6 and apprehended the petitioner and seized 500 grams of dry ganja from the possession of accused Nos.3 and 6. A small quantity of dry ganja was only seized from the possession of the petitioner. He further contended that there were several violations committed by the Investigating Officer in seizing samples and in producing the contraband before the concerned Magistrate.

4. Learned Additional Public Prosecutor opposed grant of bail to the petitioner.

5. Perused the record.

6. Considering that only 500 grams of dry ganja was seized from the possession of the petitioner, which is a small quantity and as the petitioner was in custody since 10.01.2024, it is considered fit to enlarge the petitioner on bail.

8. In the result, the petition is allowed and the petitioner is enlarged on bail on his executing a personal bond for Rs.20,000/- (Rupee Twenty thousand only) with two (02) sureties each for the like-sum to the satisfaction of the learned III Additional Chief Metropolitan Magistrate at Hyderabad. The petitioner shall comply with the conditions stipulated under Section 437(3) of Cr.P.C..

Miscellaneous applications, if any, pending, shall stand closed.

Dr. G.RADHA RANI, J

Date : 21.02.2024

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