

THE HONOURABLE DR.JUSTICE G. RADHA RANI

CRIMINAL PETITION No.1317 of 2024

ORDER:

This Criminal Petition is filed by the petitioner – A2 under Sections 437 and 439 of Code of Criminal Procedure (for short “Cr.P.C.) for grant of regular bail in Crime No.445 of 2023 of PS Suryapet I Town, Suryapet District, registered for the offence punishable under Section 20 (b) (ii) (C) of Narcotic Drugs and Psychotropic Substances Act, 1985.

2. The case of the prosecution in brief was that on 28.12.2023 at 06.00 pm while the Sub-Inspector of Police, P.S Suryapet-I Town along with his staff was conducting patrolling duty at NTR Park, Suryapet Town, they found three (03) persons moving in suspicious circumstances in two cars bearing Nos.TS 07 FC 6789 and TS 08 EA 1233. They managed to apprehend A-1 and A2 but the accused No.3 fled away. They found the contraband ganja in the cars and seized 23 kgs of dry ganja by following the procedure.

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

4. The learned counsel for the petitioner submitted that the petitioner/A2 was not having any criminal antecedents, he was falsely implicated in the case, he was ready to prove his innocence and prayed to enlarge the petitioner on bail.

5. The learned Additional Public Prosecutor submitted that commercial quantity of dry ganja was recovered from the possession of petitioner/A2 and as such, opposed grant of bail to the petitioner – A2.

6. Perused the record.

7. Considering that only slightly larger than the commercial quantity of dry ganja was recovered from the cars and as there were no criminal antecedents reported against the petitioner/A2 and as the petitioner/A2 was in custody since 28.12.2023, it is considered fit for grant of bail to the petitioner/A2.

8. In the result, the Criminal Petition is allowed and the petitioner/A2 is directed to be released on bail on his executing a personal bond for Rs.25,000/- with two sureties each for the like sum to the satisfaction of the Special Sessions Judge for Trial of Cases under NDPS Act-cum-I Additional District and Sessions Judge at Suryapet. The petitioner/A2 shall comply with the conditions stipulated under Section 437(3) of Cr.P.C.

As a sequel, miscellaneous applications pending in this petition if any shall stand closed.

Date: 09th February, 2024
gvl

Dr. G.RADHA RANI, J