

THE HONOURABLE DR.JUSTICE G.RADHA RANI

CRIMINAL PETITION No.1448 of 2024

ORDER:

This Criminal Petition is filed under Section 438 of Cr.P.C. by the petitioner/accused No.3 seeking to grant anticipatory bail in the event of his arrest in connection with Crime No.01 of 2023 on the file of the Station House Officer, Police Station, Excise Golkonda, Hyderabad, registered for the offences punishable under Sections 8 (c) read with 20(b) (ii) (B) of Narcotic Drugs and Psychotropic Substances Act, 1985.

2. The case of the prosecution in brief was that on reliable information regarding possession and sale of Ganja, on 03.01.2023 at about 3:45 p.m, the Sub-Inspector of police conducted a route watch along with his staff and stopped a Santro four wheeler vehicle bearing No.AP13F7478 and seized 2 kgs of dry Ganja from the possession of accused No.1 and registered the case against accused No.1. Basing on the confession of accused No.1, accused No.3 was shown as supplier and as absconding.

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

4. Learned counsel for the petitioner/Accused No.3 submitted that the petitioner was falsely implicated only for statistical purpose, the petitioner was ready to give an undertaking that he would not tamper or influence the witnesses and would abide by the conditions imposed by this Court.

5. The learned Additional Public Prosecutor opposed grant of anticipatory bail to the petitioner stating that the antecedents of the petitioner need to be verified.

6. Perused the record. Considering that the petitioner was shown as supplier and the contraband recovered from the possession of A1 was less than the commercial quantity, it is considered fit to grant anticipatory bail to the petitioner.

7. In the result, the Criminal Petition is allowed and the petitioner/accused No.3 is granted anticipatory bail subject to the following conditions:

- 1) The petitioner/accused No.3 is directed to surrender before the Station House Officer, Golconda Police Station, Hyderabad, within a period of 15 days from the date of this order. On such surrender, the said Station House Officer shall release the petitioner/accused No.3 on bail, on his executing 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 said Station House Officer.
- 2) The petitioner/accused No.3 shall abide by the conditions stipulated under Section 438(2) of Cr.P.C and shall co-operate with the Investigating Officer in investigation of the case.

Miscellaneous applications, if any pending, shall stand closed.

Dr. G.RADHA RANI, J

Date : 15.02.2024
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