

THE HONOURABLE Dr. JUSTICE G.RADHA RANI

CRIMINAL PETITION No.2164 OF 2024

ORDER:

This Criminal Petition is filed by the petitioners/accused Nos. 1 to 3 under Section 439 of Code of Criminal Procedure, 1973 (for short, 'Cr.P.C.') to enlarge them on regular bail in Crime No.17 of 2024 of Regonda Police Station, Jayashankar Bhupalpally District, registered for the offence under Section 8(c) read with 20(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act').

2. The case of the prosecution in brief was that on 23.01.2024 at 17:00 hours, the Sub-Inspector of Police, P.S. Regonda lodged a report by producing the petitioners/accused Nos.1 to 3 alleging that they were in possession of 3 kgs. of dry ganja and the said Ganja was seized under the cover of panchanama. Basing on the said report, the above said Crime was registered for the above said offence.

3. Heard learned counsel for the petitioner and the learned Additional Public Prosecutor, representing respondent No.1-State.

4. Learned counsel for the petitioner submitted that the petitioner No.1/accused No.1 was working as a Police Constable

and petitioners Nos.2 and 3/accused Nos.2 and 3 were auto drivers, an intermediary quantity of dry ganja was alleged to be seized from their possession and they were in custody for the past one month and prayed for grant of bail to the petitioners.

5. Learned Additional Public Prosecutor opposed grant of bail to the petitioners.

6. Perused the record. Considering that only an intermediary quantity of dry ganga of about 3 kgs., was seized from the possession of the petitioners and they were in custody since 23.01.2024, it is considered fit to enlarge the petitioners on bail.

7. Accordingly, the Criminal Petition is allowed with the following conditions:

(i) The petitioners shall be enlarged on bail on their executing personal bonds for Rs.25,000/- (Rupee Twenty Five Thousand Only) each with two (02) sureties each for the like-sum to the satisfaction of the Judicial Magistrate of First Class, Bhupalpally, Jayashankar-Bhupalpally District.

(ii) The petitioners shall comply with the conditions stipulated under Section 437(3) of Cr.P.C. and shall appear before the trial Court on all the dates when their presence is required.

8. Pending Miscellaneous Applications, if any, in this Criminal Petition, shall stand closed.

Dr.G.RADHA RANI, J

Date: 28.02.2024

svl