

THE HONOURABLE DR.JUSTICE G. RADHA RANI

CRIMINAL PETITION No.2994 of 2024

ORDER:

This Criminal Petition is filed by the petitioner – A4 under Sections 437 and 439 of Code of Criminal Procedure for grant of bail in the event of his arrest in Crime No.13 of 2024 on the file of Prohibition & Excise Station, Shamshabad, Ranga Reddy District, registered for the offence punishable under Section 8(c) read with 20(b)(ii)(c) of Narcotic Drugs and Psychotropic Substances, Act, 1985.

2. The case of the prosecution in brief was that on 07.02.2024 at 01:30 PM, the Sub-Inspector of Prohibition and Excise Station, Shamshabad, on reliable information about transportation of ganja illegally from Jalpally to Mailardevpally X Roads, Rajendra Nagar Mandal, Ranga Reddy District in an auto bearing No.AP-39-TB-9136, secured the panch witnesses and proceeded to the said place and while conducting vehicle checking, he found the said auto. After ten minutes, he stopped the auto and found three persons in the auto and on search of the auto found twelve (12) packets in a bag weighting 21 kgs of dry ganja. On enquiry with the said persons, they stated that they purchased the said contraband from an unknown person at Seeleru and brought it to Hyderabad and that they were going to deliver the contraband to the present

petitioner herein. The Excise Officials seized the contraband, apprehended A1 to A3 and at their instance proceeded to the house of A4, which was at Room No.20, Block No.10, Rajeev Gruhakalpa Colony, Laxmiguda (Mailardevpally). They found the petitioner / A4 at the said house and on search of the said house, found a blue color plastic cover under the bed in the front room and found dry ganja of 3.5 kgs in it. They also apprehended A4 and seized the contraband and brought the accused to the Police Station and registered the case.

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

4. Learned counsel for the petitioner submitted that except the confession of A1 to A3, there was no other material to connect the petitioner with the offence. He was not concerned with the seizure of 21 kgs of dry ganja from A1 to A3. The contraband recovered from the petitioner was only 3.5 kg, which was an intermediary quantity. The petitioner was arrested on 08.02.2024 and prayed to enlarge the petitioner on bail.

5. Learned Additional Public Prosecutor submitted that no criminal antecedents were reported against the petitioner herein.

6. Considering that only an intermediary quantity of dry ganja of 3.5 kg was recovered from the house of the petitioner and no criminal antecedents were reported against him, it is considered fit to enlarge the petitioner on bail.

7. In the result, the Criminal Petition is allowed directing the petitioner – A4 to be released 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 XIII Additional Metropolitan Sessions Judge, Cyberabad, Ranga Reddy District at L.B.Nagar. The petitioner shall comply with the conditions laid down under Section 437(3) Cr.P.C.

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

Date: 18th March, 2024
Nsk.

Dr. G.RADHA RANI, J