

**HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD**

**THURSDAY ,THE TWENTY FIRST DAY OF MARCH  
TWO THOUSAND AND TWENTY FOUR**

**PRESENT**

**THE HONOURABLE DR. JUSTICE G.RADHA RANI**

**CRIMINAL PETITION NO: 3131 OF 2024**

**Between:**

1. Sem Kumar Parichha, S/o. Sachidananda Parichha, Age 24 years, Occ. Mutton Shop Business, R/o Christain Sahi, Gumma Village, Gajapati District, Odisha State.
2. Dhuli Shankar, S/o. Raghu, Age 23 years, Occ. Auto Driver, R/o Gumuda Village, Bhamini, G. Laxmipur Post, Gudari Sub-District, Rayagada District, Odisha State.

**.....PETITIONERS/A-1 & A-2**

**AND**

The State of Telangana, Rep. by its Public Prosecutor, High Court, at Hyderabad.

**.....RESPONDENT/COMPLAINANT**

Petition under Section 437/439 of Cr.P.C praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to release the Petitioners on Bail pending investigation, enquiry and trial in Crime No. 163/2023 of Proh.and Excise Station, Khila Warangal, Warangal District,

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri Dr CHALLA SRINIVASA REDDY ,Advocate for the Petitioners and the Additional Public Prosecutor on behalf of the Sole Respondent.

**The Court made the following: ORDER**

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**THE HONOURABLE DR.JUSTICE G.RADHA RANI**

**CRIMINAL PETITION No.3131 OF 2024**

**ORDER:**

This Criminal Petition is filed by the petitioners – Accused Nos.1 and 2 under Sections 437 and 439 of Code of Criminal Procedure, 1973 (for short “Cr.P.C”), to release them on regular bail in Crime No.163 of 2023 on the file of Proh & Excise Station, Khila Warangal, Warangal District, registered for the offence punishable under Section 8(c) read with 20(b)(ii)(c) of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short ‘NDPS Act’).

2. The case of the prosecution in brief was that on 19.12.2023 at 9:00 A.M, the Station House Officer of Khila Warangal and STF, Hyderabad conducted raid near Auto Stand at Warangal Railway Station and found the petitioners/Accused Nos.1 and 2 in possession of dry ganja carrying in two bags containing 10Kgs and 12Kgs, total 22 Kgs and the police seized the said contraband under the cover of panchanama. They

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effected the arrest of the petitioners/accused Nos.1 and 2 on 19.12.2023.

3. Heard the learned counsel for the petitioners-Accused Nos.1 and 2 and the learned Additional Public Prosecutor for the respondent-State.

4. Learned counsel for the petitioners/accused Nos.1 and 2 submitted that each of the petitioners were carrying only an intermediary quantity and prayed to release the petitioners/accused Nos.1 and 2 on bail.

5. Learned Additional Public Prosecutor opposed grant of bail to the petitioners/accused Nos.1 and 2.

6. Perused the record. The record would disclose that the petitioners belonged to Odisha State and brought the contraband in two bags and after getting down the train, while they were waiting at the auto stand, they were apprehended by the police. The contraband seized was 22 Kgs, which was a commercial quantity and the same cannot be distributed between

the two to consider the same as an intermediary quantity to enlarge the petitioners on bail.

7. In the result, the Criminal Petition is dismissed.

Miscellaneous applications, pending if any, shall stand closed.

Sd/- P. PADMANABHA REDDY  
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

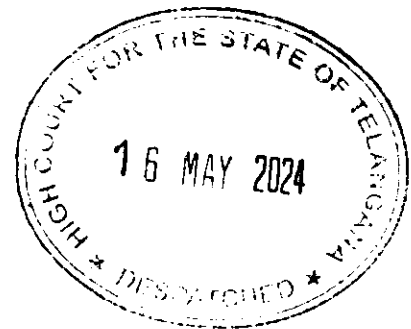
1. The Judicial First Class Magistrate, Warangal, Warangal District
2. The Station House Officer, Proh.and Excise Station, Khila Warangal, Warangal District
3. The Superintendent of District Jail Warangal District
4. One CC to SRI Dr CHALLA SRINIVASA REDDY Advocate [OPUC]
5. TWO CCs to the PUBLIC PROSECUTOR, High Court for the State of Telangana, at Hyderabad [OUT]
6. Two CD Copies

Pr

HIGH COURT

DATED:21/03/2024

ORDER  
CRLP.No.3131 of 2024



DISMISSING THE CRIMINAL PETITION

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