

THE HONOURABLE DR.JUSTICE G.RADHA RANI

CRIMINAL PETITION No.3924 OF 2024

ORDER:

This Criminal Petition is filed by the petitioner – Accused No.8 under Sections 437 and 439 of Code of Criminal Procedure, 1973 (for short “Cr.P.C”), to release him on regular bail in connection with Crime No.894 of 2023 on the file of Shadnagar Police Station, registered for the offences punishable under Section 8(c) read with 22(c), Section 29 of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short ‘NDPS Act’).

2. The case of the prosecution in brief was that on 25.12.2023 at 12:40 hours, the S.I of police of Shadnagar Police Station lodged a report stating that on the same day at about 09:00 hours she received credible information that one person was selling Alprazolam at Sakku Bai Nilayam Near Akula Malleshham Function Hall, New City Colony, Parigi Road, Shadnagar, Ranga Reddy District and proceeded to the said place along with staff and panch witnesses and apprehended accused Nos.2 and 4 and seized 2 Kgs of Alprazolam from the possession of A2. On the confession of A2 that he was selling the same to his known persons viz., 1). Gundumalla

Venkataiah, 2). Vasu Goud (the present petitioner herein), 3). Balu r/o.Gorintla, 4). Balu r/o. Vikarabad, 5). Brahmaiah, 6). Gundumalla Narsimulu Goud @ Narsimha, the petitioner was apprehended on 04.03.2024 from his residence at Gowlidoddi, Serilingampally, Lingampally, Ranga Reddy District and produced before the Court.

3. Heard the learned counsel for the petitioner-Accused No.8 and the learned Assistant Public Prosecutor for the respondent-State.

4. Learned counsel for the petitioner submitted that no contraband was seized from the possession of petitioner herein. He was apprehended as per the confession of A2 that he used to sell the Alprazolam to the petitioner herein. The said confession was not admissible under law and prayed to enlarge the petitioner on bail.

5. Learned Assistant Public Prosecutor reported no criminal antecedents against the petitioner.

6. Perused the record.

7. Considering the submissions of both the learned counsel as no contraband was seized from the possession of the petitioner

herein and except the confession of A2 there was no other admissible evidence against him and no criminal antecedents were reported against him, it is considered fit to enlarge the petitioner/accused No.8 on bail.

8. Accordingly, the Criminal Petition is allowed and the petitioner – accused No.8 shall be released on regular bail subject to the following conditions:

- i) The petitioner – accused No.8 shall execute 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 learned Additional Judicial First Class Magistrate at Shadnagar.
- ii) The petitioner – accused No.8 shall abide by the conditions stipulated in Section 437(3) of Cr.P.C.

Miscellaneous applications, pending if any, shall stand closed.

Date:16.04.2024
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Dr. G.RADHA RANI, J

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Dated:16.04.2024

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