

HON'BLE SMT. JUSTICE JUVVADI SRIDEVI

CRIMINAL PETITION No.7728 of 2024

ORDER :

Petitioner/Accused No.1 has filed this petition under Sections 437 and 439 of Cr.P.C. seeking bail in C.O.R.No.191 of 2024 of Prohibition & Excise Station, Dhoolpet, registered for the offences under Sections 8(c) r/w. Section 20(b)(ii)(B) of NDPS Act.

2. Heard Sri A.Prabhakar Rao, learned counsel for petitioner and the learned Additional Public Prosecutor appearing for the State.

3. Case of the prosecution is that on 22.06.2024, 17.1 kgs. of dry ganja was found in the house of petitioner/accused No.1 herein. Hence, he was arrested and remanded.

4. Learned counsel for the petitioner submits that the petitioner herein is innocent and has been falsely implicated in the case. He further submits that the petitioner is a milk vendor and is suffering with old aged ailments. He further submits that the contraband seized is intermediary quantity, the petitioner is not having any criminal antecedents and he was in jail since 22.06.2024, and hence, prayed for grant of bail.

5. The learned Additional Public Prosecutor opposed the application stating that specific allegations are levelled against the petitioner, that

the investigation is still pending in this crime and if bail is granted to the petitioner at this stage, he may tamper with evidence and may also commit similar offences, therefore, he is not entitled for grant of bail.

6. Having heard both sides and perused the material on record, since the contraband seized is intermediary quantity, and as the petitioner is not having any criminal antecedents, this Court is of the considered view that it is a fit case for grant of bail, subject to the following conditions:

- i. **The petitioner shall be released on bail on executing a personal bond for Rs.20,000/- with two sureties for the like sum each to the satisfaction of the I Additional Chief Metropolitan Magistrate, Nampally, Hyderabad.**
- ii. **The petitioner shall appear before the concerned Station House Officer on every Sunday between 11.00 A.M. and 05.00 PM for a period of eight (08) weeks or till filing of charge sheet, whichever is earlier.**
- iii. **The petitioner shall abide by the conditions stipulated in Section 437(3) Cr.P.C.**

This petition is allowed accordingly.

JUVVADI SRIDEVI, J

Date: 22.07.2024

Lk/rev