

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION Nos.176 OF 2024 & 12761 OF 2023

COMMON ORDER:

1. These Criminal Petitions are filed under Sections 437 and 439 of Code of Criminal Procedure, 1973 (for short "Cr.P.C") seeking regular bail to the petitioners/Accused Nos.1 and 2 respectively in Crime.No.241 of 2023 on the file of the Bhadrachalam Town Police Station, Bhadradi Kothagudem District, registered for the offence under Sections 8 (c) read with 20(b) of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'the NPDS Act').
2. Since the petitioners in both the petitions are accused Nos.1 and 2 respectively in the very same crime, both the petitions are heard together and disposed off by this common order.
3. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the respondent-State and perused the record.
4. The Bhadrachalam Town Police arrested these petitioners for being in possession of 260 kgs. of ganja. Having conducted investigation, charge sheet is filed.

5. Learned counsel appearing for the petitioner/A-2 would submit that he is undergoing treatment for diabetes, pulmonary tuberculosis and pancreatitis.

6. According to the medical note of Deputy Civil Surgeon, Central Prison, Hyderabad, the petitioner is undergoing treatment in Osmania General Hospital. On the ground of ill health, the prayer for regular bail insofar as A-2 is concerned, can be considered for a period of three months, subject to following conditions:-

i) The petitioner/accused No.2 shall execute personal bond for a sum of Rs.50,000/- (Rupees Fifty thousand only) with two sureties i.e., one local surety and the other from the native place, for a like sum each to the satisfaction of the Special Sessions Judge for Trial of Cases under the NDPS Act –Cum- I Additional Sessions Judge at Kothagudem.

ii) The petitioner/accused No.2 shall surrender after three months, on being released from jail.

iii) The petitioner/accused No.2 shall abide by the other conditions stipulated under Section 437(3) of Cr.P.C.

7. Insofar A-1 is concerned, the prayer for regular bail is refused.

8. Accordingly, CrI.P.No.176 of 2024 is dismissed and CrI.P.No.12761 of 2023 is allowed. Miscellaneous applications, pending if any, shall stand closed.

Date : 24.01.2024
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K.SURENDER, J

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Dt.24.01.2024

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