

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.12871 OF 2023

ORDER:

1. This Criminal Petition is 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 & 2 in C.O.R.No.223 of 2023 on the file of (Prohibition & Excise) Police Station, Nizamabad, registered for the offence under Section 20 (b) (ii) (c) of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'the NPDS Act').
2. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the respondent-State and perused the record.
3. The Prohibition & Excise Inspector of Nizamabad conducted route watch and detected dry ganja of kg.157.39 gms. in the truck of these petitioners. Accordingly, the contraband was seized.
4. On instructions, learned Additional Public Prosecutor would submit that till date there is no requisition made for sampling or acknowledging the seizure inventory.
5. In the said circumstances of not following the procedure by the Department, the petitioners can be granted the relief of regular bail, subject to following conditions:-

i) The petitioners/accused Nos.1 & 2 shall execute personal bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) with two sureties, for a like sum each to the satisfaction of Special Judicial First Class Magistrate for Trial of Prohibition & Excise Offences, Nizamabad.

ii) The petitioners/accused Nos.1 & 2 after release shall appear before the concerned Station House Officer at 10:00 a.m. on every Monday for a period of eight weeks for the purpose of investigation and thereafter, as and when required.

iii) The petitioner/accused Nos.1 & 2 shall abide by the other conditions stipulated in Section 437(3) of Cr.P.C.

6. Accordingly, this Criminal Petition is allowed. Miscellaneous applications, pending if any, shall stand closed.

Date: 08.01.2024
dv

K.SURENDER, J

1. This Criminal Petition is filed under Sections 437 and 439 of Code of Criminal Procedure, 1973 (for short "Cr.P.C") seeking regular bail to the petitioner/Accused No.12 in Crime.No.744 of 2023 on the file of Keesara Police Station, Rachakonda, registered for the offences under Section 20 (b) (ii) (c) of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'the NPDS Act').

2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the respondent-State and perused the record.

3. This Court by order dated 07.12.2023 refused the prayer for bail and dismissed the application. The present petition is filed seeking bail. There are no changed circumstances to entertain this petition.

4. Accordingly, the Criminal Petition is dismissed. However, the petitioner is at liberty to renew his application under changed circumstances. Miscellaneous applications, if any pending in this criminal petition, shall stand closed.

K.SURENDER, J

Date : 03.01.2024
dv

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.12871 of 2023
Dt.03.01.2024

dv