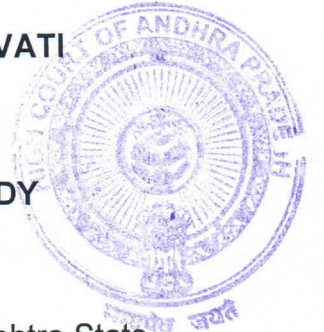


IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
TUESDAY ,THE EIGHTEENTH DAY OF APRIL
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY
CRIMINAL PETITION NO: 2604 OF 2023



Between:

1. Sk.Aslam, S/o Nayum Aged 40 Years, Muslim, Parbhari, Mharashtra State.
2. Skaikh Akram Anwar, S/o Anwar Aged C/o Muslim Khandoba Bajar Road,Near MK Cykl Taxi Marath, Maharashtra State.
3. Shiva Prasad Gupta, S/o Mothilal Gupta Aged 47 yrs C/o Baniya Gupta Baniyantola, Majholi Sidhi, Madyapradesh .
4. Ramalakhan,, S/o Pancham Aged 38 C/o Nampeethi Khari, Sidhi Madyapradesh.
5. Ashok Babanrao Kale, s/o Babanrao baburao kale aged C/o Hatkan Marathi Jadav Gas Road Near GanapathiMandir, Sarafarajnagr,
6. Hanuman Immadhi, S/o Lakshman, Aged 35 yrs C/o Marathi, parbhani, Maharastra .

Petitioner/Accused A4 to A9

AND

The State of Andhra Pradesh, Rep. by its Public Prosecutor, High Court of Judicature of Andhra Pradesh at Amaravati.

Respondent/Complainant

Petition under Sections 437 and 439 of Cr.P.C, praying that in the circumstances stated in the memorandum of grounds filed in support of the Criminal Petition, the High Court may be pleased to release the petitioners on bail in on Cr.No 38/2022, Donkarai police station .

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Smt. Koppiseti Parvati Devi Advocate for the Petitioner and of Asst. Public Prosecutor , the Court made the following.

ORDER

THE HON'BLE SRI JUSTICE K. SREENIVASA REDDY**CRIMINAL PETITION NO.2604 OF 2023****ORDER:-**

The Criminal Petition, under Sections 437 & 439 of the Code of Criminal Procedure, 1973, is filed on behalf of the petitioners/Accused No.4 to 9 to grant bail in connection with Crime No.38 of 2022 of Donkarai Police Station.

2) A case has been registered against the petitioners and others for the offence punishable under Section 8(c) r/w 20(b)(ii)(C) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'the NDPS Act').

3) Brief facts of the case are that, on 09.10.2022 at 10.00 A.M., at the outskirts of Villaradhi Village of Boddagandi Panchayat of Y. Ramavaram Mandal, ASI of Police, Donkarai Police Station, on reliable information found 6 persons waiting at road side and apprehended A4 to A9 who were found transporting 90 Kgs of Ganja worth of Rs.2,70,000/- in 6 travel bags to Maharashtra State. The contraband along with vehicle and other material was seized under the cover of a mediators report.

4) Heard. Perused the record.

5) The petitioners were arrested and sent to judicial custody on 09.10.2022 and since then they are in judicial remand. The quantity of contraband allegedly seized from the possession of accused is 90 Kgs. However, statutory period of 180 days has completed and till today no charge sheet is filed. The learned Special Assistant Public Prosecutor submitted that no extension petition is filed by the police.

6) In view of the facts and circumstances of the case, this Court is inclined to grant bail to the petitioners/Accused No.4 to 9, on the following conditions.

(i) The petitioners/Accused Nos.4 to 9 shall be released on bail on each of them executing a personal bond for Rs.10,000/- (Rupees ten thousand only) with two sureties each for a like sum each to the satisfaction of the learned Judicial Magistrate of First Class, Rampachodavaram;

(ii) On release, the petitioners shall stay within the limits of jurisdictional Police Station and shall appear before the Station House Officer concerned, once in a week i.e. on every Friday between 10.00 a.m. and 05.00 p.m., till filing of the charge sheet.

(iii) The petitioners shall not directly or indirectly contact or threaten the witnesses under any circumstances and any such attempt shall be construed as an attempt of influencing the witnesses and shall not tamper evidence and shall co-operate with the investigation.

It is made clear that the petitioners shall scrupulously comply with the above conditions and breach of any of the above conditions will be viewed seriously and prosecution is at liberty to move an application for cancellation of the bail forthwith.

7) Accordingly, the Criminal Petition is **allowed**.

Sd/- K. SRINIVASA RAJU
ASSISTANT REGISTRAR

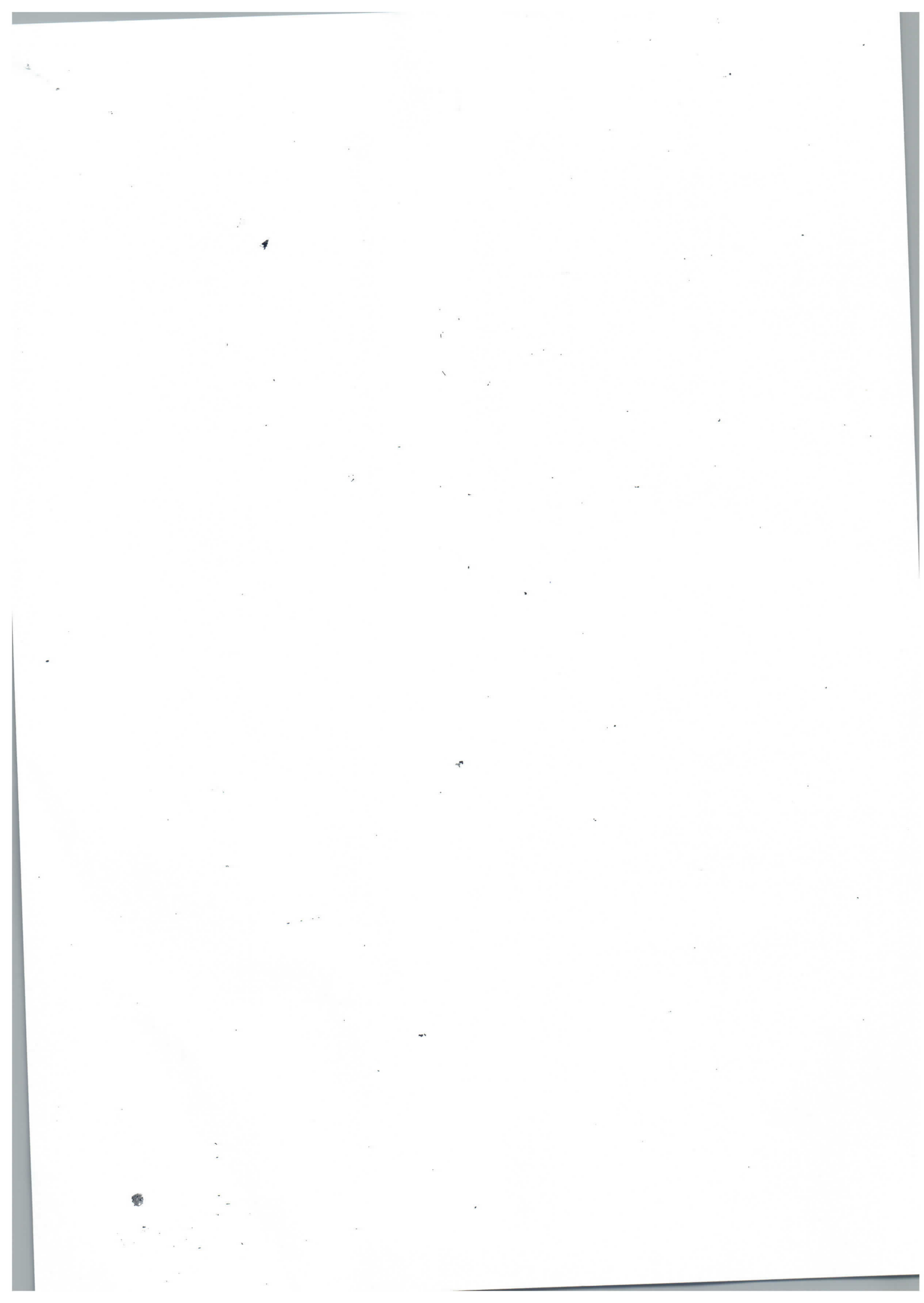
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SECTION OFFICER

To,

1. The Judicial Magistrate of First Class Court at Rampachodavaram.
2. The I Additional Sessions Judge, East Godavari at Rajamahendravaram.
3. One CC to Smt. KOPPISETTI PARVATI DEVI Advocate [OPUC]
4. Two CCs to PUBLIC PROSECUTOR, High Court of A.P.[OUT]
5. One spare copy.

psk



HIGH COURT

SRKJ

DATED:18/04/2023

BAIL ORDER

CRLP.No.2604 of 2023

ALLOWED

