

HON'BLE SRI JUSTICE K.SURESH REDDY

CRL.P.NO.3736 OF 2023

ORDER:-

This Criminal Petition, under Sections 437 and 439 of Cr.P.C., has been filed by the petitioners/Accused Nos.2 and 3, seeking regular bail, in Crime No.85 of 2023 of Mogalturu Police Station, West Godavari District.

2. A case has been registered against the petitioners herein and another for the offence punishable under Sections. 8(c) read with Section.20(b)(ii)(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'the NDPS Act').

3. Heard. Perused the record.

4. On a perusal of the material available on record, it goes to show that on 17-03-2023 the Sub-Inspector of Police, Mogalturu Police Station along with his staff and mediators apprehended Accused Nos.1 to 3, who were found in possession of 21.305 kgs of Ganja. After conducting panchanama, the Sub-Inspector of Police seized the

contraband and arrested the accused, who were remanded to judicial custody.

5. The learned counsel for the petitioners states that the contraband seized from the petitioners is only 21.305 kgs, which is a little bit higher than non-commercial quantity. Further, the petitioners are in jail since 17-03-2023. Therefore, he seeks to enlarge the petitioners on bail.

6. *Per contra*, the learned Special Assistant Public Prosecutor, on instructions, states that the petitioners were not involved in any other crimes.

7. In view of the aforesaid facts and circumstances of the case, this Court is inclined to grant bail to the petitioners/Accused No.2 and 3, on the following conditions.

(i) The petitioners herein shall be released on bail on their executing a personal bond for Rs.25,000/- (Rupees twenty five thousand only) each with two sureties for a like sum each to the satisfaction of the learned Additional Judicial First Class Magistrate, Narsapuram, West Godavari District.

(ii) On release, the petitioners shall appear before the Station House Officer concerned twice in a week i.e., on every Monday and Friday between 10.00 a.m. and 01.00 p.m., until further orders.

(iii) Further, the petitioners are directed not to hamper the investigation and tamper with the prosecution witnesses.

8. Accordingly, the Criminal Petition is allowed.

22-06-2023.
TSNR

K.SURESH REDDY,J