

HON'BLE SRI JUSTICE K. SURESH REDDY

Criminal Petition No.4518 of 2023

ORDER:

Accused No.5 in Cr.No.117 of 2023 of Arilova Police Station, Visakhapatnam City, filed the present application under Sections 437 and 439 of Cr.P.C. seeking his release on bail. The above crime was registered for the offences punishable under Sections 20(b)(ii)(c) of the Narcotic Drugs & Psychotropic Substances Act, 1985.

2. Case of the prosecution in brief is that, on 01.06.2023 at about 14.15 hours, the Sub Inspector of Police, Arilova PS, along with his staff and mediators, found A.1 and A.2, who were found in possession of 1 Kg 100 grams of ganja. After conducting *panchanama*, the police arrested A.1 and A.2 and seized the contraband from them. On the basis of the confession made by them, the Sub Inspector of Police arrested A.3 and A.4 on the same day. Thereafter, on further confession, petitioner/A.5 was also arrested on the same day and all the accused were remanded to judicial custody on 02.06.2023.

3. Learned counsel for the petitioner contends that only 1 kg 100 grams of ganja was recovered from A.1 and A.2 and the petitioner came to be implicated as an accused on the confession made by A.1 and A.2. He further contends that no contraband was seized from the petitioner and that the petitioner is in judicial custody since 02.06.2023 and requested this Court to enlarge the petitioner on bail.

4. On the other hand, learned Assistant Public Prosecutor, on instructions states that the petitioner is not involved in any previous similar crimes.

5. This Court perused the entire material on record. Considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail with certain conditions.

6. The petitioner/A.5 is directed to be released on bail on her executing a personal bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) with two sureties for the like sum each to the satisfaction of Chief Metropolitan Magistrate, Visakhapatnam. On such release, the petitioner is directed to report before the Station House Officer, Arilova PS, Visakhapatnam, twice in a week i.e., on every Wednesday and Sunday between 10.00 a.m. and 1.00 p.m., until further orders. The petitioner is directed to cooperate with the investigation and not to tamper with the prosecution witnesses.

7. The criminal petition is, allowed accordingly.

Justice K. SURESH REDDY

Date: 13.07.2023
bss

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BSS