

HON'BLE SRI JUSTICE K. SURESH REDDY

CRIMINAL PETITION No.5504 of 2023

ORDER:

Accused No.2 in Cr.No.41 of 2023 of Narasapuram town Police Station, West Godavari District, filed the present criminal petition under Sections 437 and 439 of Cr.P.C. seeking to enlarge him on bail. The above crime was registered against the petitioner and others for the offences punishable under Sections 8(c) read with 20(B)(II)(C) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

2. Facts of the prosecution case in brief are that, on 02.03.2023 at about 07.30 a.m., on credible information about the transportation of ganja, the Sub-Inspector of Police, Narasapuram Town PS, along with his staff and mediators, went to Jangamvari Street, Narasapuram town, where they found ten persons in suspicious circumstances and the police apprehended A.1 to A.9 and one child in conflict with law (CICL), who were found in possession of 24.750 Kgs. of ganja. After conducting *panchanama* and after seizing the contraband, the police arrested A.1 to A.9 and were remanded to judicial custody subsequently.

3. Learned counsel for the petitioner contends that the total contraband recovered from all the accused is 24.750 Kgs. He further contends that the petitioner is in judicial custody since 02.03.2023 and as such he requests this Court to enlarge the petitioner/A.2 on bail.

4. On the other hand, the learned Assistant Public Prosecutor opposed the bail application and on instructions, he states that the petitioner is not involved in similar crimes previously.

5. This Court perused the entire material on record. Taking into consideration that the total contraband seized from A.1 to A.9 is only 24.750 Kgs. and as the petitioner is in judicial custody since 02.03.2023, this Court is inclined to enlarge him on bail, on the following conditions.

(i) Petitioner/A.2 shall be released on bail on his executing a personal bond for Rs.25,000/- (Rupees twenty five thousand only) with two sureties for a like sum each to the satisfaction of the Additional Judicial Magistrate of First Class, Narasapuram, West Godavari District.

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

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

6. The criminal petition is allowed accordingly.

Date: 08.08.2023
BSS

Justice K. SURESH REDDY

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