THE HON'BLE SRI JUSTICE K.SURESH REDDY

CRIMINAL PETITION No. 5755 OF 2023

ORDER:

The present criminal petition, under Sections 437 and 439 Cr.P.C., is filed by the petitioner-accused No. 2 seeking his release on bail in crime No. 91 of 2023 of Chagalamarri Police Station, Nandyal District, registered for the offence punishable under Section 8 (c) read with Section 20 (b) (ii) (B) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

2. Heard Sri Ch.Vidya Sagar, learned counsel appearing for the petitioner-accused No. 2, and learned Special Assistant Public Prosecutor appearing for the respondent-State.

3. Case of the prosecution is that on 03-07-2023 at 9 p.m., on receipt of credible information, the Sub Inspector of Police, Chagalamarri Police Station, along with his staff and mediators apprehended accused Nos. 1 and 2 near Muthyalapadu Bus Stop, Chagalamarri Mandal, while they were in possession of 1.2 K.Gs. of Ganja. After conducting panchanama and seizing the contraband, the police arrested both the accused and remanded them to judicial custody.

4. Learned counsel for the petitioner-accused No. 2 submits that the contraband seized from the possession of both the accused is 1.2 K.Gs. of Ganja, which is a non-commercial quantity, and that the petitioner-accused No. 2 has been in judicial custody from 04-07-2023 and therefore requests this Court to enlarge the petitioner-accused No. 2 on bail.

5. Learned Special Assistant Public Prosecutor, on the other hand, on written instructions, submits that the petitioner-accused No. 2 is not involved in any other similar crime previously.

6. Considering the facts that the contraband seized from the possession of both the accused is 1.2 K.Gs. of Ganja and that the petitioner-accused No. 2 has been in judicial custody from 04-07-2023, this Court is inclined to enlarge him on bail with certain conditions.

7. The petitioner-accused No. 2 is therefore ordered to be enlarged on bail on his executing a personal bond for Rs.25,000/- with two sureties for the like sum each to the satisfaction of learned Judicial I Class Magistrate, Allagadda. After release, the petitioner-accused No. 2 shall appear before the Station House

Officer, Chagalamarri Police Station, twice a week *i.e.* on every Monday and Thursday between 10 a.m. and 1 p.m. until further orders. The petitioner-accused No. 2 shall not hamper the investigation and tamper with the prosecution witnesses.

8. Accordingly, the criminal petition is allowed.

_____

Date: 08-09-2023, ***JUSTICE K.SURESH REDDY***

JSK

THE HON'BLE SRI JUSTICE K.SURESH REDDY

CRIMINAL PETITION No. 5755 OF 2023

DATE: 08TH SEPTEMBER, 2023

JSK