

**HON'BLE SRI JUSTICE K. SURESH REDDY**

**CRIMINAL PETITION No.5813 of 2023**

**ORDER:**

Accused Nos.17 to 19 in Cr.No.56 of 2023 of Allagadda Rural Police Station, Nandyal District, filed the present criminal petition under Sections 437 & 439 of Cr.P.C., seeking to enlarge them on bail. The above crime was registered against the petitioners and others, for the offences punishable under Sections 8(c) read with 120(b)(ii)(B) of the Narcotic Drugs & Psychotropic Substances Act, 1985.

2. Case of the prosecution in brief is that, on 05.05.2023 at about 8.00 a.m., the Inspector of Police, Allagadda Rural PS, arrested A.1, A.3 to A.7 near Kasireddy Nayana Ashramam, who were found in possession of 1.230 Kgs of ganja. After conducting *panchanama*, after seizing the contraband, the Inspector of police arrested A.1, A.3 to A.7, who were remanded to judicial custody thereafter. During the course of investigation, the arrested accused confessed that they supplied the ganja to the petitioners, who are shown as A.17 to A.19, who used to consume ganja. On the basis of the said confession, the petitioners were arrested on 18.07.2023.

3. Learned counsel for the petitioners contends that the petitioners came to be implicated only on the confession made by the arrested accused and no contraband was recovered from the possession of the petitioners. He further contends the petitioners are in judicial custody since 18.07.2023 and that A.1, A.3 to A.7 and A.9 to A.12 were already enlarged on bail by this Court vide order dated 26.06.2023 in

Crl.P.No.3914 of 2023 and as such, he requests this Court to enlarge the petitioners on bail.

4. Learned Assistant Public Prosecutor opposed the bail application.

5. This Court perused the material available on record. As the contraband involved in the present case is only 1.230 Kgs. of ganja and as the main accused were already enlarged on bail and as the petitioners are in judicial custody since 18.07.2023, this Court is inclined to grant bail to the petitioners/A.17 to A.19 with certain conditions.

(i) Petitioners/A.17 to A.19 shall be released on bail on their furnishing a personal bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) each with two sureties for the like sum each to the satisfaction of Judicial Magistrate of I Class, Allagadda.

(ii) After release, petitioners are directed to report 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) They are further directed to cooperate with the Investigating Officer and not to tamper with the prosecution witnesses.

6. The criminal petition is, accordingly, allowed.

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*Justice K. SURESH REDDY*

Date: 13.09.2023

BSS/BSK

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