

HON'BLE SRI JUSTICE K.SURESH REDDY

CRL.P.NO.5974 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.127 of 2023 of Bommuru Police Station, East Godavari District.

2. The above Crime was registered against the petitioners herein and another for the offence punishable under Section. 8 (c) read with Section 20(b)(ii)(C) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'the NDPS Act').

3. Brief facts of the case are that on 27.04.2023 at about 10.30 a.m., on receipt of the credible information, the Sub-Inspector of Police, Bommuru Police Station along with staff and mediators apprehended Accused Nos. 1 to 3 at newly constructed Mahalakshmi Market, beside NH-16 Road, Hukumpeta Centre, Hukumpeta Panchayat, Rajamahendravaram, who were found in possession of 25.00Kgs of Ganja. After conducting panchanama and after seizing the contraband, the Sub-Inspector of Police 2 arrested all the three Accused, who were remanded to judicial custody.

4. The learned counsel for the petitioners contended that the contraband seized from the possession of all the three Accused is 25.00Kgs of Ganja, which is a commercial quantity and further they are in judicial custody since 27.04.2023. As such, the learned counsel for the petitioners requested this Court to enlarge the petitioners/A-2 and A-3 on bail.

5. On the other hand, the learned Special Assistant Public Prosecutor, on written instructions, states that the petitioners/Accused Nos. 2 and 3 were not involved in any other similar crimes previously.

6. This Court perused the entire material on record. Taking into consideration the facts and circumstances of the case and as the contraband seized from the possession of all the three Accused is 25.00Kgs of Ganja and further the petitioners are in judicial custody since 27.04.2023, this Court is inclined to enlarge the petitioners/Accused Nos.2 and 3 on bail, on the following conditions.

(i) The petitioners/Accused Nos.2 and 3 herein shall be released on bail on their executing personal bonds for an amount of Rs.25,000/-(Rupees twenty five thousand only)

