

HON'BLE SRI JUSTICE K.SURESH REDDY

CRL.P.NO.5979 OF 2023

ORDER:-

This Criminal Petition, under Sections 437 and 439 of Cr.P.C., has been filed by the petitioner/A-6, seeking regular bail, in Crime No.101 of 2023 of Rayavaram Police Station, Dr.B.R.Ambedkar Konaseema District.

2. A case has been registered against the petitioner herein and others for the offences punishable under Sections.8(c) read with Section.20(b)(ii)(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'the NDPS Act').

3. Heard. Perused the record.

4. On a perusal of the material available on record, it goes to show that on 01-05-2023 at about 2.30 P.M on receipt of the credible information, the Sub-Inspector of Police, Rayavaram PS along with his staff and mediators while conducting vehicle checking at Machavaram to Ramachandrapuram Road in Someswaram Village, apprehended Accused Nos.2, 5 and 8 to 11, who were found in possession of 21.500 kgs of Ganja. Subsequently, on the

confession of the above accused, Accused Nos.3, 4 and 12 were arrested on 04-05-2023, who were found in possession of 1 Kg Ganja. Further, on the confession of Accused Nos.3, 4 and 12, the petitioner was arrested on 08-05-2023. The allegation made against the petitioner is earlier the petitioner purchased Ganja from the arrested accused.

5. The learned counsel for the petitioner contends that the petitioner came to be implicated in the present crime only on the confession of the arrested accused, who has stated that the petitioner purchased Ganja previously from the arrested accused. He further contended that no contraband was seized from the possession of the petitioner. Therefore, he requests this court to enlarge the petitioner on bail.

6. *Per contra*, the learned Special Assistant Public Prosecutor, on instructions, states that the petitioner was not involved in any other crimes.

7. In view of the aforesaid facts and circumstances of the case, this Court is inclined to grant bail to the petitioner/Accused No.6, on the following conditions.

(i) The petitioner herein 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 learned Judicial First Class Magistrate, Anaparthi.

(ii) On release, the petitioner shall appear before the Station House Officer concerned twice in a week i.e., on every Monday and Friday 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.

8. Accordingly, the Criminal Petition is allowed.

21-08-2023.
TSNR

K.SURESH REDDY,J