

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
WEDNESDAY, THE THIRTY DAY OF AUGUST
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HONOURABLE SRI JUSTICE K SURESH REDDY
CRIMINAL PETITION NO: 5998 OF 2023



Between:

Rajapujitha Durga Prasad @ RR, S/o Mohan, Aged 19 Years D.o. 2-13-7/2, Market Street, AC Gardens, Rajmahendravararam

Petitioner/A-3

AND

The State Of Andhra Pradesh, Rep. by its Public Prosecutor, High Court of Judicature of Andhra Pradesh at Amaravati.

Respondent/Complainant

Petition under Sections 437 and 439 of Cr.P.C, praying that in the circumstances stated in the memorandum of grounds filed in support of the Criminal Petition, the High Court may be pleased to release the petitioner on bail in U/s 8 (c) r/w 20(b)(ii)(c) of NDPS Act. SC.No. of 2023 on Cr.No. 12/2023 II Town Police station L & O Rajahmundry .

The petition coming on for hearing, upon perusing the Petition and the memorandum of grounds filed in support thereof and upon hearing the arguments of Sri KOPPISETTI PARVATI DEVI Advocate for the Petitioner and of Public Prosecutor for Respondent, the Court made the following

ORDER

THE HON'BLE SRI JUSTICE K. SURESH REDDY

CRIMINAL PETITION No.5998 OF 2023

ORDER:

This Criminal Petition, under Sections 437 and 439 of Cr.P.C., has been filed by the petitioner/A-3, seeking regular bail, in Crime No.12 of 2023 of II Town Law and Order Police Station, Rajamahendravaram, East Godavari District.

2. A case has been registered against the petitioner herein and others for the offence 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. The case of the prosecution is that on 25.01.2023 at about 08.00 p.m., near YT College Ground, Rajamahendravaram, the Sub-Inspector of Police, II Town Law and Order Police Station, Rajamahendravaram apprehended the Accused Nos.1 to 5, who were found transporting 24.00 Kgs of Ganja. After conducting panchanama, the Police arrested all the five Accused, who were remanded to judicial custody.

4. The learned counsel for the petitioner submits that petitioner was arrested on 25.01.2023 and ever since he is in judicial custody. Further, he submits that the contraband seized from the possession of the petitioner is 24.00 Kgs of Ganja, which is a little bit higher than Non-commercial quantity. He, therefore, requested this Court to enlarge the petitioner on bail.

5. On the other hand, the learned Special Assistant Public Prosecutor, on instructions, states that the petitioner was also involved in another Crime i.e., Cr.No. 194 of 2022 of the same Police Station, which was registered for the offence punishable under Section 324 IPC.

6. Be that as it may. As the contraband seized from all the four Accused is 24.00 Kgs of Ganja, and more over the petitioner is in judicial custody since 25.01.2023, this Court is inclined to enlarge the petitioner on bail, 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 V Additional Judicial First Class Magistrate, Rajamahendravaram.

(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.

7. Accordingly, the Criminal Petition is allowed.

Sd/- M. PADMALATHA
ASSISTANT REGISTRAR

//TRUE COPY//

For

SECTION OFFICER
REGISTRAR

To,

1. The V Addl. Judicial First Class Magistrate at Rajamahendravaram.
2. The I Addl. Sessions Judge, East Godavari at Rajamahendravaram.
3. The Superintendent, Central Prison, Rajamahendravaram.
4. The Station House officer, Rajahmundry II Town P.S., East Godavari.
5. One CC to SRI. KOPPISETTI PARVATI DEVI Advocate [OPUC]
6. Two CCs to PUBLIC PROSECUTOR, High Court of A.P[OUT]
7. One spare copy.

psk

HIGH COURT

KSRJ

DATED:30/08/2023

BAIL ORDER

CRLP.No.5998 of 2023

ALLOWED

