

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

FRIDAY, THE TWENTY NINTH DAY OF MARCH
TWO THOUSAND AND NINETEEN

:PRESENT:

THE HONOURABLE DR. JUSTICE SHAMEEM AKTHER
CRIMINAL PETITION NO: 1606 OF 2019



Between:

Rahmatul Alamin, S/o. Mohammed Jan,

Petitioner/Accused

AND

State of Telangana,, Through SHO, Excise Police Station, Dhoolpet, Hyderabad Rep.
By its Public Prosecutor High Court for the State of Telangana at Hyderabad

Respondent/Complainant

Petition under Section 437 & 439 of Cr.P.C, praying that in the circumstances stated in the affidavit filed in support of the Criminal Petition, the High Court may be pleased to enlarge the petitioner / accused on Regular Bail in Crime No. 61/2019 of SHO, Excise Police Station, Dhoolpet, Hyderabad and release the petitioner / accused on such terms and conditions,

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof upon hearing the arguments of SABJAN SHAIK Advocate for the Petitioner and the PUBLIC PROSECUTOR for the Respondent, the Court made the following.

ORDER:

This Criminal Petition, under Section 439 of the Code of Criminal Procedure, 1973, is filed by the petitioner/accused, for grant of bail in COR No.61 of 2019 of Prohibition and Excise Station, Dhoolpet, Hyderabad, registered for the offences punishable under Section 8(c) read with 20(b)(ii)(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

2. Heard the learned counsel for the petitioner/accused, the learned Additional Public Prosecutor representing the respondent-State and perused the record.

3. It is alleged that on 13.02.2019, at about 01:40 PM, 9.996 kilograms of dry ganja was seized from the possession of the petitioner/accused under a cover of panchanama. The petitioner/accused was remanded to judicial custody on 14.02.2019. Material witnesses are examined. The quantity of ganja seized from the possession of the petitioner/accused is not of commercial quantity. In the course of submissions, it is brought to the notice of this Court that there are no other similar criminal cases pending against the petitioner/accused. Having regard to the nature of accusations levelled against the petitioner/accused and the material collected so far, the petitioner/accused can be enlarged on bail under Section 439 of Cr.P.C.

4. Accordingly, the petitioner/accused is ordered to be released on bail, on his executing a personal bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) with two sureties in a like sum each to the satisfaction of the learned I Additional Chief Metropolitan Magistrate, Hyderabad. On such release, the petitioner/accused shall report before the Station House Officer, Prohibition and Excise Station, Dhoolpet, Hyderabad, on every Sunday between 09:00 AM and 11:00 AM, till filing of the charge-sheet.

5. The Criminal Petition is, accordingly, allowed.

Miscellaneous petitions, if any, pending in this Criminal Petition, shall stand closed.

Sd/- B.SATYA VATHI
ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

1. The First Additional Chief Metropolitan Magistrate at Nampally, Hyderabad
2. The First Additional Metropolitan Sessions Judge, Hyderabad.
3. The Superintendent Central Prison, Chenchalguda, Hyderabad
4. The Station House Officer, Excise Police Station, Dhoolpet, Hyderabad.
5. One CC to SRI. SHAIK SABJAN Advocate [OPUC]
6. Two CCs to PUBLIC PROSECUTOR, High Court for the State of Telangana at Hyderabad [OPUC]
7. One Spare Copy

GR

HIGH COURT

DR, SAJ

DATED:29/03/2019

ORDER

CRLP.No.1606 of 2019

BAIL

