

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION NO.12813 OF 2023****ORDER:**

1. This Criminal Petition is filed under Sections 437 and 439 of Code of Criminal Procedure, 1973 (for short "Cr.P.C") seeking regular bail to the petitioners/accused Nos.1 to 3 in Crime No.1489 of 2023, on the file of Meerpet Police Station, Rachakonda, registered for the offence punishable under Section 8 (c) r/w 21 (b) and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'the NPDS Act').
2. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the respondent-State and perused the record.
3. The petitioners are students from whom 80 gms. of heroin was seized by the Meerpet Police on 29.01.2023. Having followed the procedure prescribed under NDPS Act, the petitioners were produced before the concerned Magistrate and they were sent to judicial custody.

4. Learned counsel appearing for the petitioners would submit that petitioners are students and there are no other cases pending against them.

5. Learned Additional Public Prosecutor opposed the bail application, however, did not dispute the fact that there are no other criminal cases pending against these petitioners.

6. Keeping in view that contraband seized is intermediary quantity and the petitioners are students, the relief of regular bail can be considered, subject to following conditions:-

i) The petitioners/accused Nos.1 to 3 shall execute personal bond for a sum of Rs.50,000/- (Rupees Fifty thousand only) with two sureties, for a like sum each to the satisfaction of XIII Additional Metropolitan Sessions Judge, R.R.District at L.B.Nagar.

ii) The petitioners/accused Nos.1 to 3 after release shall appear before the concerned Station House Officer at 10:00 a.m. on every Monday for a period of eight weeks and thereafter, as and when required for the purpose of investigation.

iii) The petitioners/accused Nos.1 to 3 shall abide by the other conditions stipulated in Section 437(3) of Cr.P.C.

7. Accordingly, this Criminal Petition is allowed. Miscellaneous applications, pending if any, shall stand closed.

Date: 29.12.2023
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K.SURENDER, J

THE HON'BLE SRI JUSTICE K.SURENDER

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Dt.29.12.2023

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