

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

TUESDAY, THE TWENTY SEVENTH DAY OF FEBRUARY,  
TWO THOUSAND AND TWENTY FOUR



**:PRESENT:**

**THE HONOURABLE SRI JUSTICE T MALLIKARJUNA RAO**

**CRIMINAL PETITION NO: 669 OF 2024**

**Between:**

A-2) Zaffar, S/o Shaik Anwar Hussan, Aged 34 Yrs Muslim Electrician R/o Sugar Mandi Road, DJ Halli, Bangalore, Karnataka State.

**...Petitioner/Accused No-2**

**AND**

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

**...Respondent/Complainant**

Petition under Section 437 & 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 petitioners on bail arising out of Crime No. 421 of 2023 Anakapalli Police Station.

The petition coming on for hearing, upon perusing the Petition and the memo of grounds filed in support thereof and upon hearing the arguments of Ms Koppiseti Parvati Devi, Advocate for the Petitioner and Assistant Public Prosecutor for the Respondent, the Court made the following

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:: AMARAVATI  
(Special Original Jurisdiction)**

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**...PETITIONER/ACCUSED(S)**

**AND**

The State of Andhra  
Pradesh

**...RESPONDENT/COMPLAINANT(S)**

**The Court made the following:**

This Criminal Petition, under Sections 437 and 439 of Cr.P.C., has been filed by the petitioner/A2, seeking regular bail, in Crime No.421 of 2023 of Anakapalli Town Police Station, Anakapalli District.

2. The above said crime was registered against the petitioner herein and others for the offence punishable under Section 8(c), 25 read with 20(b)(ii)(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'the NDPS Act').

3. The case of the prosecution is as follows:

On 22.11.2023 at about 11.30am, the Sub-Inspector of police, Anakapalle Town police station, on credible information about transportation of ganja, secured the presence of mediators and rushed to Sunkarametta junction and found a car bearing No.AP 09 BC 8282 coming from Sabbavaram side to



proceed to National Highway via Sunkarametta junction and on seeing the police, the inmates in the car tried to escape by returning the car. But the police apprehended them and on questioning A1, A3 to A5 disclosed their identity particulars and police seized 14kgs of ganja from their possession. After observing all formalities, arrested the accused and sent them to judicial custody.

4. Heard. Perused the record.

5. Learned counsel for the petitioner submitted that this Court in Crl.P.No.9445 of 2023, vide order, dated 08.01.2024 granted bail to A1, A3 to A5 on the ground that the contraband said to be seized is not of commercial quantity and the petitioner herein has been in judicial custody from 24.11.2023. The case of the present petitioner herein i.e. A2 is also on the same footing as that of A1, A3 to A5. On the other hand, Learned Assistant Public Prosecutor has not disputed the said contention.

6. In view of the aforesaid facts and circumstances of the case, since the case of the present petitioner is also on the same footing as of A1, A3 to A5 who were already granted bail by this Court, this Court is inclined to grant bail to the petitioner herein, on the following condition.

i. The petitioner shall be released on 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 I Additional District & Sessions Judge, Visakhapatnam.



ii. After release, the petitioner shall appear before the Station House officer concerned, on every Sunday between 10.00 am and 01.00 p.m. for a period of three (3) months; and

iii. that the petitioner is directed not to hamper the investigation and tamper with the prosecution witnesses.

7. Accordingly, the Criminal Petition is **allowed**.

//TRUE COPY//

Sd/- K. J. RAJA BABU  
ASSISTANT REGISTRAR

F. SECTION OFFICER

To

1. The Special Judge for Trial of Caed under NDPS Act Cum- 1<sup>st</sup> Additional District & Sessions Judge, Visakhapatnam (MSJ Court Visakhapatnam).
2. The I Additional District & Sessions Judge, Visakhapatnam.
3. The Station House Officer, Anakapalli Town Police Station, Anakapalli District.
4. The Superintendent, Central Prison, Visakhapatnam, Visakhapatnam District.
5. One CC to Ms Koppiseti Parvati Devi, Advocate [OPUC]
6. Two CCs to Public Prosecutor (AP) High Court of Andhra Pradesh [OUT]
7. **One spare copy**

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HIGH COURT

TMR,J

DATED:27/02/2024

BAIL ORDER

CRLP.No.669 of 2024

ALLOWED

