

**IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(Special Original Jurisdiction)**

**PRESENT
THE HONOURABLE JUSTICE DR V R K KRUPA SAGAR**

CRIMINAL PETITION NO: 7065/2024

The Court made the following: ORDER:

This Criminal Petition, under Sections 437 and 439 of Cr.P.C., (New Sections 480 and 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNNS') is filed by petitioner/A3, seeking regular bail in Crime No.84 of 2024 of Koyyuru Police Station, registered for the offences punishable under Section 20 (b)(ii)(C), 25 r/w 8(c) of NDPS Act, 1985.

2. Heard Sri K.Pridhvi Raju, learned counsel for petitioner/A3 and Sri A.Sai Rohit, learned Assistant Public Prosecutor for respondent/State.

3. Perused the record.

4. Having heard the learned counsel on both sides and perused the record, it is seen that on 31.07.2024, A1 and A2, along with an Auto Rickshaw bearing No.AP-31-TN-3472 were apprehended, and during the search, the raiding party found 60 kgs of ganja, which was seized. Thereafter, they were remanded to judicial custody. The petitioner is A3, was arrested on 06.08.2024 and remanded to judicial custody. The record reveals that no part of contraband was recovered from the

petitioner. The prosecution's case relies on the confessions of co-accused. Despite the lapse of three months, no additional material has been obtained by the prosecution to establish the complicity of this petitioner, other than the confessions of the co-accused. Furthermore, nothing further has been forthcoming in this regard. Considering the nature of the allegations and the length of detention, this Court is of the opinion that any further continuation of detention does not seem necessary. Hence, this Court finds that petitioner/A3 shall be enlarged on bail.

5. In view of the said circumstances, the Criminal Petition is allowed. Petitioner herein/A3 shall be enlarged on bail on executing a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like sum each to the satisfaction of the learned Metropolitan Sessions Judge-cum-I Additional District & Sessions Judge-cum-Special Judge for Trial of Offences under NDPS Act, Visakhapatnam. Petitioner/A3 shall mark his attendance before the Investigating Officer on 1st and 15th of every month between 10.00 A.M. and 1.00 P.M. till filing of the charge sheet. Petitioner/A3 shall make himself available for investigation by a police officer as and when required, and he shall not, directly or indirectly, make any inducement, threat or promise to any persons acquainted with the facts of the case

so as to dissuade them from disclosing such facts to the Court or to any police officer. He shall not indulge in similar acts of crime and shall duly attend the trial of the case. The petitioner shall regularly appear before the competent Court and participate in pre-trial and trial process without fail.

Pending miscellaneous applications, if any, shall stand closed.

Dated: 11.11.2024
S D P

Dr. V R K KRUPA SAGAR, J

THE HON'BLE JUSTICE DR V R K KRUPA SAGAR

CRIMINAL PETITION No.7065 of 2024

Dated: 11.11.2024

S D P