APHC010283112026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3521]**
(Special Original Jurisdiction)

MONDAY,THE FIFTEENTH DAY OF JUNE
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 4544/2026

Between:

1. BUDU BARIKA, ,S/O. BOLU BARIKA, AGED ABOUT 34 YEARSR/O. CCBF FARM, BIJU COLONY, SUNABEDA VILLAGEKORAPUT DISTRICT, ODISHA STATE.
2. HARESH BARIK, ,S/O. DAITARI BARIK, AGED ABOUT 26 YEARS,R/O. RAJPUT PANCHAYAT, SIMILUGUDA P.S.,KORAPUT DISTRICT, ODISHA STATE.

...PETITIONER/ACCUSED(S)

AND

THE STATE OF ANDHRA PRADESH, Rep by its Public Prosqcutor,High Court of Andhra Pradesh at Amaravati.

...RESPONDENT/COMPLAINANT

Counsel for the Petitioner/accused(S):

GOLLAPALLI MAHESWARA RAO

Counsel for the Respondent/complainant:

PUBLIC PROSECUTOR

The Court made the following:

ORDER:

The Criminal Petition has been filed under Sections 480 and 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for brevity 'the BNSS'), seeking to enlarge the Petitioners/Accused Nos.1 and 2 on bail in Crime No.52 of 2026 of Vizianagaram Police Station, GRP Vijayawada, registered against the Petitioners/Accused Nos.1 and 2 herein for the offences punishable under Section 20(b)(ii)(B) read with 8(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for brevity 'the NDPS Act').

2. Heard the learned counsel for the Petitioners and the learned Assistant Public Prosecutor representing the State.

3. Sri G.Maheswara Rao, Learned counsel for the petitioners submits that the petitioners are innocents and that they have not committed any offence and were falsely implicated in this case. The petitioners are law-abiding citizens and they have got a permanent abode. The petitioners would abide by any conditions if this Court enlarges them on bail. The material portion of the investigation is completed and he urged this Court to enlarge the petitioners on bail.

4. Ms.P.Akhila Naidu, Learned Assistant Public Prosecutor submits that the petitioners were arrested on the spot. There are no adverse antecedents reported against the petitioners. The inventory is completed. So far, six

witnesses have been examined and she urged this Court to pass appropriate orders.

5. The record reveals that on 22.04.2026, the Sub-Inspector of Government Railway Police Station apprehended the petitioners while they were in possession and transportation of 10 kgs of ganja. A mediators' report was drafted. Later, the petitioners were forwarded to judicial custody. The petitioners have been in judicial custody for the past 54 days. The petitioners are permanent residents of Sunabeda Village of Koraput District. There are no adverse similar antecedents reported against the petitioners. The inventory is completed. So far, six witnesses are examined and they are material witnesses. Chances of petitioners threatening the witnesses, tampering with the evidence, or hampering the investigation would not arise.

6. Having regard to the facts and circumstances of the case, the request of the petitioners is found convincing and reasonable. Hence, this Court is inclined to enlarge the Petitioners/Accused Nos.1 and 2 on bail.

7. In the result, the Criminal Petition is allowed with the following stringent conditions:

> i. The Petitioners/Accused Nos.1 and 2 shall be enlarged on bail subject to their executing bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only) each with two sureties each for the like sum each to the satisfaction of the learned VI Additional Judicial Magistrate of First Class for Railways-Cum-VI Additional Junior Civil Judge Court, Visakhapatnam.

ii. The Petitioners/Accused Nos.1 and 2 shall appear before the Station House Officer concerned, on every Saturday in between 10:00 am and 05:00 pm, till filing of the charge sheet.

iii. The Petitioners/Accused Nos.1 and 2 shall not leave the limits of the District without prior permission from the Station House Officer concerned.

iv. The Petitioners/Accused Nos.1 and 2 shall not commit or indulge in commission of any offence in future.

v. The Petitioners/Accused Nos.1 and 2 shall cooperate with the investigating officer in further investigation of the case and shall make themselves available for interrogation by the investigating officer as and when required.

vi. The Petitioners/Accused Nos.1 and 2 shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court.

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DR. Y. LAKSHMANA RAO, J

Date: 15.06.2026
JLV

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 4544 of 2026

Date: 15.06.2026
JLV