APHC010285122026

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

WEDNESDAY,THE SEVENTEENTH DAY OF JUNE
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 4586/2026

Between:

BORA SHANMUKHA DURGA SURYA PRAKASH ALIAS CHAINA, , S/O GANGARAJU ,AGE 26 YEARS, R/O D.NO. 15-274,DURGA BAZAAR, ARILOVA,VISAKHAPATNAM.

...PETITIONER/ACCUSED

AND

THE STATE OF ANDHRA PRADESH, ,Through Station House Officer,Arilova Police Station,Rep. by its Public Prosecutor,High Court of Andhra Pradesh,Amaravathi, Guntur District.

...RESPONDENT/COMPLAINANT

Counsel for the Petitioner/accused:

BANDI PRAVEENA

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 Petitioner/Accused No.4 on bail in Crime No.94 of 2026 of Arilova Police Station, Visakhapatnam Commissionerate, registered against the Petitioner/Accused No.4 herein for the offences punishable under Section 20(b)(ii)(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for brevity 'the NDPS Act').

2. Ms.Bandi Praveena, the learned counsel for the petitioner, submits that the petitioner is innocent of the alleged offence and he has been falsely implicated by the police. It is further submitted that the petitioner is the sole earning member of the family and, therefore, his incarceration would cause undue hardship to his dependents. The petitioner undertakes to strictly adhere to any conditions that may be imposed by this Court. In light of the foregoing submissions, learned counsel prays that the present petition be allowed in the interest of justice.

3. *Per contra*, Mr.K.Sandeep, the learned Assistant Public Prosecutor vehemently opposed the grant of bail to the petitioner, submitting that the investigation is still underway and several material witnesses remain to be examined. It is contended that if the petitioner is released on bail at this stage, there is a strong likelihood that he may abscond, thereby hampering the

ongoing investigation and evading the process of law. In view of the foregoing submissions, it is urged that the petition be dismissed.

4. Heard the learned counsel for the petitioner and the learned Assistant Public Prosecutor. Perused the record.

5. As seen from the record, the petitioner is arraigned as Accused No.4. He was arrested on the spot while he was allegedly found in illegal possession and transportation of 6.255 kgs of ganja, which is not a commercial quantity. The petitioner was arrested on 09.04.2026 and has been in judicial custody for the past 69 days. So far, five witnesses have been examined, all of whom are official witnesses. A substantial portion of the investigation has already been completed. The petitioner is a permanent resident of Visakhapatnam District and he has got fixed abode. If the petitioner is enlarged on bail subject to stringent conditions, there is no likelihood of his threatening the witnesses or hampering the investigation.

6. Considering the facts and circumstances of the case, the nature and gravity of allegations levelled against the Petitioner/Accused No.4, this Court is inclined to enlarge the Petitioner/Accused No.4 on bail with some stringent conditions.

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

i. The Petitioner/Accused No.4 shall be enlarged on bail subject to his executing a bond for a sum of Rs.25,000/- (Rupees Twenty

Five Thousand only) with two sureties for the like sum each to the satisfaction of the learned Chief Judicial Magistrate, Visakhapatnam.

ii. The Petitioner/Accused No.4 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 Petitioner/Accused No.4 shall not leave the limits of the State of Andhra Pradesh without prior permission from the Station House Officer concerned.

iv. The Petitioner/Accused No.4 shall not commit or indulge in commission of any offence in future.

v. The Petitioner/Accused No.4 shall cooperate with the investigating officer in further investigation of the case and shall make himself available for interrogation by the Investigating Officer as and when required.

vi. The Petitioner/Accused No.4 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.

vii. The petitioner/Accused No.4 shall surrender his passport, if any, to the investigating officer. If he claims that he does not

have passport, he shall submit an affidavit to that effect to the Investigating Officer.

DR. Y. LAKSHMANA RAO, J

Date: 17.06.2026
RSI

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 4586 of 2026

Date: 17.06.2026
RSI