APHC010291052026

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: 4693 OF 2026

Between:

1. GOPINATH BIBHAR, S/O. LABA BIBHAR,AGED ABOUT 41 YEARS,R/O. PANDAKAMAL VILLAGE,NOONPUR POST, RAMPUR MANDALKALAHANDI DISTRICT,ODISHA STATE.
2. MIDHUN BIBHAR, S/O. TARUN BIBHAR,AGED ABOUT 27 YEARS,R/O. PANDAKAMAL VILLAGE,NOONPUR POST, RAMPUR MANDAL,KALAHANDI DISTRICT,ODISHA STATE.

...PETITIONER/ACCUSED(S)

AND

1. THE STATE OF ANDHRA PRADESH, ,SHO, Pellakur Police Station,Tirupati District,Represented by its Public Prosecutor,High Court of Andhra Pradesh,Amaravati.

...RESPONDENT/COMPLAINANT

Counsel for the Petitioner/accused(S):

1. BHOOMA MAHARSHI REDDY

Counsel for the Respondent/complainant:

1. PUBLIC PROSECUTOR

The Court made the following:

ORDER:

The Criminal Petition has been filed under Section 480 & 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for brevity 'the BNSS'), seeking to enlarge the Petitioners/Accused No.1 & 2 on bail in Crime No.105 of 2026 of Pellakur Police Station, Tirupathi District, registered against the Petitioners/Accused No.1 & 2 herein for the alleged 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 Petitioner and the learned Assistant Public Prosecutor.

3. On perusal of the record, the allegation against the Petitioners/Accused No.1 & 2 is that they were in possession and transportation of 21 kgs of Ganja. It is a commercial quantity. It is mentioned in the mediator's report that the Petitioners together illegally transport Ganja. The Petitioner No.1/Accused No.1 is found with 10 Kgs of Ganja and Petitioner No.2/Accused No.2 is found with 11 Kgs of Ganja.It is mentioned that Accused Nos.3 and 4 are still absconding. After thorough investigation, chargesheet has been filed NSC No.26 of 2026. The Chargesheet was filed on 30.01.2026, well within the statutory period. The petitioners were arrested on 03.11.2025 and they have been in judicial custody for the past 226 days.

4. It is submitted that there are no adverse similar antecedents against the petitioners. The petitioners are permanent residents of Pandakamal Village, Noonpur Post, Rampur Mandal, Kalahandi District, Odisha State. They have

got fixed abode. If they are enlarged on bail with certain stringent conditions, they may not evade from the process of law.

5. Considering the facts and circumstances of the case, the gravity and nature of allegations levelled against the Petitioners/Accused Nos.1 & 2, this Court is inclined to enlarge the Petitioners/Accused Nos.1 & 2 on bail with the following stringent conditions:

i. The Petitioners/Accused Nos.1 & 2 shall be enlarged on bail subject to their executing a bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) with two sureties for the like sum each to the satisfaction of the learned Judicial Magistrate of First Class, Naidupet.

ii. The Petitioners/Accused Nos.1 & 2 shall appear before the Station House Officer concerned, on every 1st Sunday of every month in between 10:00 am and 05:00 pm for three (03) months or till filing of the charge sheet whichever is earlier.

iii. The Petitioners/Accused Nos.1 & 2 shall appear before the learned Trial Court on each and every adjournment.

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

v. The Petitioners/Accused Nos.1 & 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.

vi. The Petitioners/Accused Nos.1 & 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.

vii. The Petitioners/Accused Nos.1 & 2 shall surrender their passports, if any, to the investigating officer. If they claim that they do not have a passport, they shall submit an affidavit to that effect to the Investigating Officer.

6. In the result, the Criminal Petition is allowed.

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DR. Y. LAKSHMANA RAO, J

Date: 17.06.2026
BSK