APHC010365702026

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

FRIDAY, THE 24th DAY OF JULY 2026

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 5884/2026

Between:

SRIHARI PRADHAN, , S/O.SUSHANT PRADHANAGED ABOUT 19 YEARS, R/O.MANGALPUR VILLAGE, AA TALUQ,GANJAM DISTRICT, ODISHA STATE.761115.

...PETITIONER/ACCUSED

AND

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

...RESPONDENT/COMPLAINANT

Counsel for the Petitioner/accused:

TOTA TEJESWARA 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 Petitioner/Accused No.1 on bail in Crime No.46 of 2026 of Etcherla Police Station, Srikakulam District, registered against the Petitioner/Accused No.1 herein for the offences punishable under Sections 20(b)(ii)(B) read with 8(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for brevity 'the NDPS Act').

2. Mr.T.Tejeswara Rao, 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. He is a law-abiding citizen. The petitioner undertakes to strictly adhere to any conditions that may be imposed by this Court. In light of the foregoing submissions, the learned counsel prays that the present petition be allowed in the interest of justice.

3. *Per contra*, Mr.A.Rohit, 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.1. The petitioner is at the impressionable age of 19 years. There are no adverse antecedents reported against the petitioner. It is alleged that the petitioner was found in conscious possession of and transporting 4.00 kgs of ganja, which is not a commercial quantity. He was arrested on 10.03.2026 and has been in judicial custody for the past 133 days. So far, seven witnesses have been examined. All of them are official witnesses. The petitioner is a permanent resident of State of Odisha. He has got fixed abode. The material portion of the investigation with regard to the alleged role played by the petitioner has been completed. Therefore, the scope of the petitioner threatening the witnesses, tampering with the evidence, and hampering the investigation may not arise. No application seeking the custodial interrogation of the petitioner has been filed. The period for seeking custodial interrogation has also expired.

6. Considering the facts and circumstances of the case, the nature and gravity of allegations levelled against the Petitioner/Accused No.1, this Court is inclined to enlarge the Petitioner/Accused No.1 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.1 shall be enlarged on bail subject to his executing a bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only) with two sureties for the like sum each to the satisfaction of the learned Judicial Magistrate of First Class-Cum-Special Mobile Court, Srikakulam.

ii. The Petitioner/Accused No.1 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.1 shall not leave the limits of the District without prior permission from the Station House Officer concerned.

iv. The Petitioner/Accused No.1 shall not commit or indulge in commission of any offence in future.

v. The Petitioner/Accused No.1 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.1 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: 24.07.2026
RSI

Whether the order is :
Speaking Yes/No / Reasoned Yes/No
Reportable Yes/No / Non-Reportable Yes/No

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 5884 of 2026

Date: 24.07.2026
RSI