

**IN THE HIGH COURT FOR THE STATE OF
TELANGANA AT HYDERABAD**

THE HON'BLE JUSTICE B.R.MADHUSUDHAN RAO

CRIMINAL PETITION No.11378 of 2026

DATED: 7th AUGUST, 2026

Between:

Sayed Mustafa,

... Petitioner-Accused No.2

And

The State of Telangana,
Rep. by its Public Prosecutor,
High Court for the State of Telangana,
at Hyderabad.

... Respondent-Complainant

ORDER

1. This Criminal Petition is filed under Sections 480 and 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) praying this Court to enlarge the petitioner on bail who is arrayed as accused No.2 in connection with C.O.R. No.306 of 2025 of Zaheerabad Prohibition and Excise Station, Sangareddy District. The offence alleged against the petitioner-A2 is punishable under Sections 8(c), 22(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act') r/w Sl.No.221 sub clause (vii)(a) and xxx(a) of Section 2 of the NDPS Act.

2. Heard Sri Mohd. Muzaffer Ullah Khan, learned counsel for petitioner - A2 and Sri D.Arun Kumar, learned Additional Public Prosecutor, appearing for respondent – State.

3. Learned counsel for the petitioner submits that the petitioner-A1 is enlarged on mandatory bail by the learned Sessions Court *vide* Crl.M.P. No.320 of 2026 in COR No.306 of 2025 of Prohibition and Excise, Zaheerabad on 09.04.2026. Entire investigation is completed and charge sheet came to be filed before the learned Sessions Court and the same is numbered as SC.NDPS.No.26 of 2026. Petitioner-A2 is in judicial custody since 14.10.2025, he is no more required for the investigating agency.

4. Learned Additional Public Prosecutor submits that respondent has seized 6 polythene bags marked as MOs.1 to 6 containing total of 195 boxes, each weighed about 236 grams i.e., total 58,500 Nitrazepam tablets weighed about 46.020 kgs, it is a commercial quantity and prayed to dismiss the same.

5. Petitioner-A2 has filed Crl.M.P.No.557 of 2026 in COR No.306 of 2025 before the learned I Additional District and Sessions Judge which came to be dismissed *vide* order dated

24.06.2026. Petitioner-A2 has also filed Crl.P.No.3247 of 2026 seeking bail, the same came to be dismissed *vide* order dated 31.03.2026 holding that serious allegations are levelled against the petitioner-A2.

6. It is to be noted here that in the order passed by the learned Sessions Judge in Crl.M.P. No.320 of 2026 against A1-Vijay Kumar, it is observed that even after completion of the mandatory period, respondent has not filed charge sheet.

7. A1-Vijay Kumar was enlarged on bail prior to filing of the charge sheet. The change of circumstances is that the respondent has filed the charge sheet and the same came to be numbered as SC.NDPS.No.26 of 2026. Hence, petitioner-A2 is entitled to be enlarged on bail with conditions.

8. In the result, petition is allowed subject to the following conditions:

- i. The petitioner-accused No.2 shall execute a personal bond for a sum of Rs.10,000/- (Rupees Ten Thousand only), with two local sureties for a like sum each to the satisfaction of the learned I Additional District and Sessions Judge at Sanga Reddy District.

- ii. On such release, the petitioner-A2 shall appear before the Court concerned on each and every date of hearing either in person or through his counsel, except in emergency circumstances.
- iii. The petitioner-accused No.2 shall not involve in any criminal activities.
- iv. In the event of violation of any of the above conditions, the prosecution is at liberty to file an application for cancellation of bail.

Miscellaneous applications, if any pending, shall stand closed.

B.R.MADHUSUDHAN RAO, J

7th August, 2026

PLV

THE HON'BLE JUSTICE B.R.MADHUSUDHAN RAO

CRIMINAL PETITION No.11378 of 2026

DATE: 07.08.2026

PLV