

**THE HONOURABLE SMT. JUSTICE K. SUJANA**

**CRIMINAL PETITION No.12766 of 2025**

**ORDER:**

Seeking the Court to enlarge the petitioner who are arrayed as accused No.2 in C.O.R. No.53 of 2025 of Prohibition and Excise Station Manuguru registered for the offences punishable under Section 8(c) read with 20(b)(ii)(C) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act'), on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that on 26.06.2025, on credible information regarding the illegal transportation of ganja, the police conducted a vehicle check. During the operation, the accused were found in possession of contraband and 21.490 kilograms of dry ganja were seized from them. Based on the seizure and preliminary investigation, the accused were arrested, and a case was registered under the relevant provisions of the NDPS Act

3. Heard Sri Acharyulu Rompicharla Y.L.N., learned counsel appearing on behalf of the petitioner as well as Sri E. Ganesh,

learned Assistant Public Prosecutor appearing on behalf of the respondent-State.

4. Learned counsel for the petitioner submitted that the petitioner is innocent and had been falsely implicated in the case and that no evidence had been collected by the investigating authority regarding the possession of ganja by the petitioner. He further submitted that the petitioner had been in judicial custody since 26.06.2025, which had caused undue hardship to his family, and that the petitioner had no prior criminal antecedents. Therefore, he prayed the Court to grant bail to the petitioner by allowing this criminal petition.

5. On the other hand, learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioner stating that the petitioner was actively involved in the case and that the quantity of contraband seized constituted a commercial quantity, thereby attracting the rigors of Section 37 of the NDPS Act and that the investigation is still ongoing, therefore, granting bail to the petitioner, at this stage, does not arise. Hence, he prayed the Court to dismiss the criminal petition.

6. Considering the submissions made by both learned counsel and upon careful perusal of the material available on record, it is observed that the petitioner has been in judicial custody since 26.06.2025 and the contraband seized from the petitioner amounts to 21.490 kilograms of dry ganja. It is further noted that, as per the investigating agency, a substantial portion of the investigation has already been completed. Having regard to the overall facts and circumstances of the case, including the nature of the offence, the stage of investigation, and the period of incarceration, this Court finds it appropriate to grant bail to the petitioner, subject to the following conditions:

- i. The petitioner shall execute a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only), with two sureties for a like sum each to the satisfaction of the learned Judicial Magistrate of First Class at Manuguru, Bhadradi Kothagudem District.
- ii. The petitioner shall appear before the concerned SHO at 11:00 a.m., on every Monday for a period of eight (8) week or till filing of charge sheet whichever is

earlier, for the purpose of investigation,  
and thereafter, as and when required.

- iii. The petitioner shall abide by the conditions stipulated in Section 437(3) of Cr.P.C. (presently, Section 480(3) of the BNSS).

7. Accordingly, the Criminal petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

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**K. SUJANA, J**

Date: 07.10.2025  
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