IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

WEDNESDAY, THE SEVENTEENTH DAY OF DECEMBER TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION NO: 15832 OF 2025

Between:

A1-Nade Biju, S/o. Nade Pandit aged about 37 years Occ: Pvt Employee R/o H.No. 11-1-1161, Afzal Sagar, Mallepally, Nampally, Hyderabad - 500001.

...PETITIONER/ACCUSED NO.1

AND

The state of Telangana, Through SHO, Prohibition and Excise Shamshabad. Rep.by its public Prosecutor, High Court for the state of Telangana ,at Hyderabad

...RESPONDENT/COMPLAINANT

Petition under Section 480 & 483 of BNSS praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to enlarge the Petitioner/Accused No.1 on bail in connection with the Crime FIR No.148/2025 of Excise P.S Shamshabad

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri K SUNIL CHOWDARY, Advocate for the Petitioner and D. ARUN KUMAR Additional Public Prosecutor on behalf of the Sole Respondent

The Court made the following: ORDER

IN THE HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.15832 of 2025

DATE: 17.12.2025

BETWEEN:

Nade Birju

.....petitioner/accused No.1

And

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

.....Respondent/complainant

ORDER

This Criminal Petition is filed seeking the Court to enlarge the petitioner, on bail, who is arrayed as accused No.1 in Crime No.148 of 2025 of Prohibition and Excise Police

Station, Samshabad, Hyderabad, registered for the offences punishable under Section 8(c) read with 22(c) of NDPS Act.

2. The case of the prosecution was that on 29.08.2025, at about 12:58 P.M., the P & E Sub-Inspector of Excise Police Station, Shamshabad, along with his staff, conducted a raid at Room No.08, Block-A, Vambay Colony, Upperpally, Rajendranagar, R.R. District, based on credible information. During the search, the officers found seven boxes containing a total of 2010 Nitrazepam tablets (10 mg each) weighing about 1143.6 grams.

3. Heard Sri K. Sunil Chowdary, learned counsel appearing on behalf of the petitioner as well as Sri D. Arun Kumar, learned Additional Public Prosecutor appearing on behalf of the respondent - State.

4. Learned counsel for the petitioner submitted that the petitioner had no knowledge of the tablets found in the house, as the premises did not belong to him but to a friend of the co-accused. He further submitted that the contraband was seized from the house and not from the personal possession of the petitioner. He contended that the seized substance was a

Schedule H pharmaceutical drug under the Drugs and Cosmetics Act, 1940, with a minimal content of Nitrazepam (only 10 mg per tablet), totaling about 20.1 grams, which did not justify prosecution under the NDPS Act. 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 is a drug peddler. He further submitted that the investigation is in progress and if the petitioner is released on bail, at this stage, he may tamper with the evidence and may threaten the witnesses. Hence, he prayed the Court to dismiss the criminal petition.

6. Having regard to the rival submissions made and on going through the material placed on record, it is noted that previously the petitioner had filed Crl.P.No.13475 of 2025 before this Court, seeking the relief of grant of anticipatory bail and the same was dismissed *vide* order dated 06.11.2025 observing that *'Section 37 of the NDPS Act mandates that offences involving commercial quantities be non-bailable, requiring reasonable grounds to believe the accused is not*

guilty and unlikely to commit further offences while on bail. Given the serious set of allegations against the petitioner, this Court is not satisfied that conditions for granting bail under Section 37 are met'. However, it is noticed that there are no changed circumstances back then in the earlier bail petition, and the present bail petition. As such, this Court is not inclined to grant the relief as sought for, by the petitioner. There are no merits in this Criminal Petition, and the same is liable to be dismissed.

7. Accordingly, the Criminal petition is dismissed.

Miscellaneous applications, if any pending, shall stand closed.

SD/- U.SUDHA
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Special Judicial First Class Magistrate -cum V.M.M at LB Nagar, Ranga Reddy District
2. The Station House Officer, Shamshabad Excise Police Station, Shmshabad, Ranga Reddy District
3. One CC to SRI K SUNIL CHOWDARY Advocate [OPUC]
4. Two CCs to Public Prosecutor, High Court for the State of Telangana at Hyderabad [OUT]
5. Two CD Copies

VM/PSL

HIGH COURT

DATED: 17/12/2025

ORDER
CRLP.No.15832 of 2025



DISMISSING THE CRIMINAL PETITION

19/01/26