

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

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.15894 of 2025

DATE: 16.12.2025

Between:

Syed Zaheer

.... Petitioner/Accused No.2

AND

The State of Telangana,
through P.S. Nampally,
Rep. by Public Prosecutor,
High Court, Hyderabad.

.... Respondent/Complainant

ORDER

This criminal petition is filed under Sections 480 & 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner/A.2 seeking enlargement on bail in connection with Crime No.180 of 2025 of Nampally Police Station, Hyderabad. The offences alleged against the petitioner are under Section 8(c) read with 22(c), 27(b) and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act').

2. The case of the prosecution is that, on 08.07.2025, on reliable information, the *de-facto* complainant conducted inspection and found accused Nos.1 and 2 in possession of 100 grams of Mephedrone and the same was seized. Basing on the same, the police registered a case against the accused for the above offences.

3. Heard Sri Swathi Sharma, learned counsel for the petitioner and Sri D. Arun Kumar, learned Additional Public Prosecutor appearing for the respondent-State.

4. The contention of the learned counsel for the petitioner is that the petitioner was arrayed as accused No.2 and there was no seizure from the petitioner. According to the prosecution case, the seizure was from the backpack of accused No.1. She further submitted that the petitioner was innocent of the allegations and had been falsely implicated in the case, and that the petitioner had been in jail since 08.07.2025. She also filed a document showing that the mother of the petitioner was suffering from cancer at its final stage. Hence, she requested the Court to grant bail to the petitioner

5. On the other hand, the learned Additional Public Prosecutor opposed the contentions made by the learned counsel for the petitioner, stating that the alleged offence falls under the provisions of the NDPS Act and that the seized contraband constitutes a commercial quantity. In view of Section 37 of the NDPS Act, he contended that the petitioner is not entitled to bail. However, he informed the Court that no charge sheet has been filed as of today.

6. In the light of the submissions made by both the learned counsel and a perusal of the material available on record, it appeared that though the alleged contraband was of commercial quantity, no charge sheet had been filed even after five months by the investigating authority. As seen from the record, the material part of the investigation had been completed and L.Ws.1 to 9 had already been examined. Considering the facts and circumstances of the case, the period of incarceration of the petitioner, the fact that no charge sheet had been filed, and the health condition of the mother of the petitioner, this Court deemed it fit to grant bail to the petitioner/A.2, subject to the following conditions:

- i. The petitioner/A.2 shall execute a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each, with two sureties for a like sum each to the satisfaction of the learned XII Additional Chief Judicial Magistrate at Hyderabad.
- ii. The petitioner/A.2 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/A.2 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.

K. SUJANA, J

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SS

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