

IN THE HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.16603 of 2025

DATE: 29.12.2025

BETWEEN:

Mohammad Shameerulla Baig and another

.....petitioners/accused Nos.1 and 2

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 praying this Court to enlarge the petitioners on bail who are arrayed as accused Nos.1 and 2 in Crime No.248 of 2025 of Bandlaguda Police

Station, Hyderabad, registered for the offence punishable under Sections 8(c), 20(b)(ii)(C), 27(A) and 29 of NDPS Act.

2. The brief facts of the case are that on 25.07.2025, based on alleged credible information, the Sub-Inspector of Police informed his superior and made a GD entry under Section 42(2) of the NDPS Act regarding illegal transportation of ganja in a Wagon-R car. A trap was laid at Bandlaguda X-Roads, where the vehicle was intercepted and three persons were apprehended. On search of the vehicle, 25.612 kgs of dry ganja packed in 13 packets was allegedly recovered from the dicky. The police claimed that the accused confessed about procuring and intending to sell the contraband, pursuant to which the ganja, vehicle, mobile phones and cash were seized and the accused were arrested and remanded to the judicial custody.

3. Heard Ms. S. Sunanda Hotker, learned counsel appearing on behalf of the petitioners as well as Sri D. Arun Kumar, learned Additional Public Prosecutor appearing on behalf of the respondent – State.

4. The learned counsel for the petitioners submitted that the petitioners were innocent, falsely implicated, and had no criminal antecedents. It was contended that the entire case rested on inadmissible confessional statements and that mandatory provisions under Sections 42, 50 and 52-A of the NDPS Act were not complied with, vitiating the alleged search and seizure. He further submitted that there was no recovery from the personal possession of the petitioners, no proof of conscious possession or nexus with alleged other accused, and no material to attract Sections 27-A and 29 of 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 petitioners stating that the petitioners are the drug peddlers. He further submitted that the investigation is in progress and if the petitioners are released on bail, at this stage, they may tamper with the evidence and may threaten the witnesses. Hence, he prayed the Court to dismiss the criminal petition.

6. In the light of the submissions made by both the learned counsel and a perusal of the material available on record, it appears that the petitioners are in jail since 26.07.2025. As seen from the record, the material part of the investigation has been completed and L.Ws.1 to 14 witnesses have been examined. Considering the facts and circumstances of the case and the incarceration period of the petitioners, this Court deems it fit to grant bail to the petitioners, subject to the following conditions:

- i. The petitioners 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 Chief Judicial Magistrate, Nampally.
- ii. The petitioners 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 petitioners shall abide by the conditions stipulated in Section 437(3) of Cr.P.C.(presently, Section 480(3) of the BNSS).

8. Accordingly, the Criminal petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

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SAI

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