

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

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.17608 of 2025

DATE: 31.12.2025

Between:

Chaitanya Vinayak Wagh @ Chaitanya

.... Petitioner/Accused No.3

AND

The State of Telangana,
Represented by its Public Prosecutor,
Represented by State Public Prosecutor,
High Court of Telangana at 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.3 seeking enlargement on bail in connection with Crime No.166 of 2025 of Golconda Police Station, Hyderabad. The offences alleged against the petitioner are under Section 8(c) read with 22(c), 27, 27A and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act').

.

2. The brief facts of the case are that on 22.07.2025, on reliable information, the *de-facto* complainant conducted an inspection and found accused in possession of contraband and seized 276 grams of cocaine. Basing on the same, a criminal case was registered against the accused for the alleged offences.

3. Heard Sri Saksham Gogia, 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 is innocent of the allegations and has been in judicial custody since 23.07.2025 and that the contraband allegedly seized from the possession of the petitioner amounts to only 20 grams of cocaine, which falls under the category of intermediate quantity. He further submitted that all other accused in the same crime have already been released on bail, and despite the lapse of more than 150 days, the investigating officer has not filed a charge sheet. Moreover, all material witnesses have been examined, and further detention of the petitioner is unwarranted. 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, contending that the contraband seized, namely 276 grams of cocaine, amounts to a commercial quantity. He argued that in view of the stringent provisions under Section 37 of the NDPS Act, the petitioner is not entitled to bail. He further contended that the investigation is still in progress and therefore, granting bail to the petitioner at this stage does not arise. However, he informed the Court that the petitioner does not have any prior criminal antecedents.

6. Considering the submissions of both learned counsel and upon perusal of the material available on record, it is observed that the petitioner has been in judicial custody since 23.07.2025, and as evident from the record, no charge sheet has been filed to date, despite the lapse of more than 150 days. It is further observed that similarly situated accused in the same crime have already been released on bail, and a substantial portion of the investigation has been completed. In view of these circumstances, 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 Additional Sessions Judge, Hyderabad.

- 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.

K. SUJANA, J

Date: 31.12.2025
SS

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.17608 of 2025

Date: 31.12.2025

SS