APHC010464372026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI

FRIDAY, THE 30th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 7758 OF 2026

Between:

Mukka Prasad, S/o Satyanarayana, Age 39 years, R/o D.No. 9-5, Pallapuveedhi, Visakhapatnam, Also, R/o D. No. 1-53, Pallapuveedhi, Indukurupeta, Devipatnam Mandal, East Godavari District. -530001.

...Petitioner/A1

AND

The State of Andhra Pradesh, Prohibition & Excise, Narsipatnam Police Station, Rep. by the Public Prosecutor, High Court of Andhra, Pradesh Amaravati, Guntur District.

...Respondent/Complainant

Petition under Sections 480 & 483 of BNSS,2023 praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to grant bail to the petitioner in connection with N.S.C.No.277 of 2026, pending on the file of the learned I Additional District and Sessions Judge, Visakhapatnam, on such terms and conditions as this Court may deem fit and proper in the circumstances of the case.

The Petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri. RAJESH MAJJI, Counsel for the Petitioner, and PUBLIC PROSECUTOR Counsel for the Respondent, the Court made the following.

The Court made the following:

ORDER:

The Criminal Petition has been filed under Sections 480 and 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for brevity 'the BNSS'), seeking to enlarge the Petitioner/Accused No.1 on bail in connection with N.S.C.No.277 of 2026 in Crime No.56 of 2022 of Prohibition and Excise Station, Narsipatnam, registered for the alleged offences punishable under Sections 8(c) read with 20(b)(ii)(C) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for brevity 'the NDPS Act').

2. Mr.Majji Rajesh, the learned Counsel for the Petitioner submits that the Petitioner is innocent of the alleged offence. He has been falsely implicated by the police. It is further submitted that the Petitioner is the sole earning member of the family and, therefore, his incarceration would cause undue hardship to his dependents. He is a law-abiding citizen.

3. The learned counsel for the petitioner further submits that the name of the petitioner was not mentioned in the FIR. The petitioner is working as an RTC Conductor, and the vehicle allegedly used for transporting ganja stands in his name. It is further submitted that, on account of the present case, the petitioner was removed from service by the Depot Manager *vide* Proceedings No.02/1(01)/2026-NDD, dated 22.10.2026. The crime pertains to the year 2022. The charge sheet was filed on 19.06.2026 and the same has been numbered as NSC No.277 of 2026. The petitioner undertakes to strictly

adhere to any conditions that may be imposed by this Court. Hence, the learned counsel prays to allow the petition.

4. *Per contra*, Mr. A. Sai Rohith, learned Assistant Public Prosecutor, vehemently opposes the grant of bail to the petitioner and submits that, though the charge sheet has already been filed, the accusations against the petitioner are well founded. Hence, he prays for dismissal of the Criminal Petition.

5. Heard the learned counsel for the petitioner and the learned Assistant Public Prosecutor. Perused the record.

6. On perusal of the record, the petitioner is arraigned as Accused No.1. The petitioner was arrested on 08.06.2026 and has been in judicial custody for the past 144 days. The allegation against the petitioner is that he was involved in the transportation of 284 kgs of ganja, which is a commercial quantity and, in fact, a substantial quantity. The involvement of the petitioner came to light from the averments in the Registration Certificate (RC) Book, which indicate that the vehicle allegedly used for transporting the ganja stands in his name. It is submitted by the learned counsel for the petitioner that the petitioner was working as an RTC Conductor and has since been removed from service on account of the present case. After completion of the investigation, the charge sheet has been filed and the same is numbered as NSC No.277 of 2026. There are no adverse antecedents reported against the petitioner. The petitioner is a permanent resident of East Godavari District and has got fixed abode.

7. Having regard to the facts and circumstances of the case, the nature and gravity of the allegations levelled against the petitioner, the period of incarceration undergone by him, and the nature of the evidence available on record, this Court is inclined to enlarge the petitioner/Accused No.1 on bail, subject to certain stringent conditions.

8. In the result, the Criminal Petition is allowed with the following stringent conditions:

i. The Petitioner/Accused No.1 shall be enlarged on bail subject to his executing a bond for a sum of Rs.2,00,000/- (Rupees Two Lakhs only) with two sureties for the like sum each to the satisfaction of the learned Metropolitan Sessions Judge-Cum-I Additional District and Sessions Judge-Special Judge for Trial of Offences under NDPS Act, Visakhapatnam.

ii. The Petitioner/Accused No.1 shall appear before the learned Trial Court on each and every adjournment without fail.

iii. The Petitioner/Accused No.1 shall not leave the limits of the State of Andhra Pradesh without prior permission from the learned Trial Court concerned.

iv. The Petitioner/Accused No.1 shall not commit or indulge in commission of any offence while on bail.

v. The Petitioner/Accused No.1 shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court.

vi. The Petitioner/Accused No.1 shall surrender his passport, if any, to the Investigating Officer. If he claims that he does not have passport, he shall submit affidavit to that effect to the Investigating Officer.

Sd/- A. Khasim
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The I Additional District and Sessions Judge, Visakhapatnam, Visakhapatnam District.
2. The Station House Offiocer, Prohibition & Excise, Narsipatnam Police Station
3. One CC to SRI. RAJESH MAJJI, Advocate [OPUC]
4. Two CCs to PUBLIC PROSECUTOR, High Court of Andhrapradesh Amaravathi, [OUT]
5. One spare copy

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HIGH COURT

DR.YLR,J

DATED:30/10/2026

ORDER

CRLP NO. 7758 OF 2026

ALLOWED

