APHC010492772026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3521]**
(Special Original Jurisdiction)

TUESDAY, THE 27th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 8295/2026

Between:

1. ABHILASH RAVI RAO, S/O RAVIRAO, AGED 21 YEARS,R/O NEAR SHIVA TEMPLE, MARATA ROAD, BILAKI VILLAGE,GRAMANTHARA POLICE STATION, BHADRAVATHI TALUKA,SHIVAMOGGA DISTRICT, STATE OF KARNATAKA.

...PETITIONER/ACCUSED No.4

AND

1. THE STATE OF ANDHRA PRADESH, Rep. by its Public Prosecutor,High Court of Andhra Pradeshat Amaravati.

...RESPONDENT/COMPLAINANT

Counsel for the Petitioner/accused:

1. DASARI RAMAKOTESWAR RAO

Counsel for the Respondent/complainant:

1. PUBLIC PROSECUTOR

The Court made the following:
ORDER:

The Criminal Petition has been filed under Sections 480 & 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for brevity 'the BNSS'), seeking to enlarge the Petitioner/Accused No.4 on bail in Cr.No.71 of 2026 of

Vizianagaram I Town Police Station, Vizianagaram, 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. Dasari Ramakoteswara Rao, learned counsel for the Petitioner, submits that the Petitioner is innocent of the alleged offence and has been falsely implicated by the police. The Petitioner is at an impressionable age of 21 years. There are no similar adverse antecedents reported against the Petitioner. It is further submitted that the Charge Sheet has not yet been numbered by the learned Trial Court concerned. The Petitioner undertakes to strictly adhere to any conditions that may be imposed by this Court. Hence, it is urged to allow the Criminal Petition.

3. *Per contra*, Mr.A.Sai Rohith, learned Assistant Public Prosecutor, vehemently opposes the grant of bail to the Petitioner and submits that the accusations against the Petitioner are well-founded. It is further submitted that the Charge Sheet has already been filed within the statutory period of 180 days and that the Petitioner was apprehended at the spot while transporting a commercial quantity of ganja. Hence, it is urged to dismiss the Criminal Petition.

4. Heard the learned counsel for the Petitioner and the learned Assistant Public Prosecutor. Perused the record.

5. On perusal of the record, the Petitioner is arraigned as Accused No.4 in this case. The Petitioner was arrested on 13.04.2026 and has been in judicial custody for the past 197 days. Indeed, the Petitioner is at an impressionable age of 21 years. The Petitioner is a permanent resident of the State of Karnatak. He has got fixed abode. Of course, there are no similar adverse antecedents reported against the Petitioner. The Petitioner was apprehended at the spot while in possession and transportation of 49.750 kgs. of ganja, which is a commercial quantity. The Charge Sheet was filed on 11.08.2026, well within the statutory period of 180 days.

6. In this connection, it is relevant to refer the following decisions of the Hon'ble Apex Court. In **Union of India v. Ram Samujh**[1], the Hon'ble Supreme Court at Paragraph No.7 observed that narcotic offences have a grave and far-reaching impact on society, destroying numerous lives. The Court further held that drug traffickers pose a continuing threat to society and, therefore, the statutory restrictions must be strictly enforced.

7. In **Durand Didier v. State (UT of Goa)**[2], the Hon'ble Apex Court at Paragraph No.24, observed that illicit trafficking of narcotic drugs has become a serious social menace, particularly affecting the youth. The Court further noted that, in view of its devastating impact on society, Parliament enacted stringent provisions under 'the NDPS Act' to effectively combat the menace.

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[1] (1999) 9 SCC 429
[2] (1990) 1 SCC 95

8. The Hon'ble Apex Court in **State of Kerala v. Rajesh**[3], at Paragraph Nos.8, 19, 20 and 21, held that bail under 'the NDPS Act.,' can be granted only upon strict compliance with the mandatory conditions prescribed under Section 37. The Court further observed that 'reasonable grounds' require substantial material showing that the accused is not guilty, and recording such a finding is a *sine quanon* for grant of bail.

9. Considering the entire facts and circumstances of the case and in view of the law laid down by the Hon'ble Apex Court in **Ram Samujh, Durand Didier** and **Rajesh** *supra,* the request of the Petitioner cannot be considered at this juncture, inasmuch as the accusations against the Petitioner are well-founded. There are no reasonable grounds to believe that the Petitioner has not committed any offence or that he would refrain from committing offences in future if he is enlarged on bail. There are no merits in the case for grant of bail. Hence, the Criminal Petition is liable to be dismissed.

10. In the result, the Criminal Petition is dismissed.

As a sequel, Miscellaneous petitions, if any pending, shall stand closed.

DR. Y. LAKSHMANA RAO, J

Date: 27.10.2026
PRA

[3] (2020) 12 SCC 122

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THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

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PRA