APHC010510742026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI

WEDNESDAY, THE 7th DAY OF OCTOBER, 2026

PRESENT
THE HONOURABLE Dr. JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 8597 OF 2026

Between:

Sandeep Kumar @ Sandeep Kumar Thakur, S/o. Late Pradeep Singh, aged about 32 years, R/o. Godha Village, Koil Tehsil, Aligarh District, Uttar Pradesh State.

...Petitioner/Accused No.2

AND

The State of Andhra Pradesh, Rep by its Public Prosecutor, High Court of Andhra Pradesh at Amaravati.

...Respondent

Petition under Section 437 & 439 of Cr.P.C/ 480 & 483 of BNSS., is filed praying that in the circumstances stated in the grounds filed in support of the Criminal Petition, the High Court may be pleased to enlarge the Petitioner/Accused No.2 on bail pending disposal of Crime No.47/2026 of Government Railway Police Station, Vizianagaram.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri. BALABHADRUNI MANOHAR, Counsel for the Petitioner and of PUBLIC PROSECUTOR 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.2 on bail in Crime No.47 of 2026 of Vizianagaram Police Station, GRP Vijayawada District, registered for the alleged offences punishable under Section 20(b)(ii)(C) read with 8(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for brevity 'the NDPS Act').

2. Sri Balabhadruni Manohar, 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. The Petitioner undertakes to strictly adhere to any conditions that may be imposed by this Court. Hence, it is urged to allow the Petition.

3. *Per contra*, Mr.A.Sai Rohith, the learned Assistant Public Prosecutor vehemently opposed the grant of bail to the Petitioner, submitting that the investigation is still underway and several material witnesses remain to be examined. It is contended that if the Petitioner is released on bail at this stage, there is a strong likelihood that he may abscond, thereby hampering the ongoing investigation and evading the process of law and urged to dismiss the 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/Accused No.2 was arrested on 07.04.2026 and has been in judicial custody for the past 183 days. The allegation against the Petitioner/Accused No.2 is that he was indulged in dealing with 22.00 kgs of Ganja. The seized contraband is of commercial quantity. There are no similar adverse antecedents against the Petitioner/Accused No.2. No application has been filed seeking for extension of remand of the petitioner beyond 180 days. However, the charge sheet has not yet been filed even after expiry of the statutory period of 180 days.

6. The petitioner is a permanent resident of Aligarh District, Uttar Pradesh State and has got fixed abode. If the petitioner is enlarged on bail subject to stringent conditions, there is no likelihood of his absconding, threatening the witnesses, tampering with the evidence or hampering the further course of investigation.

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 stage of investigation, this Court is inclined to enlarge the Petitioner/Accused No.2 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.2 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 VI Additional Judicial Magistrate of First Class for Railways, Visakhapatnam.

ii. The Petitioner/Accused No.2 shall appear before the Station House Officer concerned, on every Saturday in between 10:00 am and 05:00 pm, till filing of the charge sheet.

iii. The Petitioner/Accused No.2 shall not leave the limits of the District without prior permission from the Station House Officer concerned.

iv. The Petitioner/Accused No.2 shall not commit or indulge in commission of any offence while on bail.

v. The Petitioner/Accused No.2 shall cooperate with the Investigating Officer in further investigation of the case and shall make himself available for interrogation by the Investigating Officer as and when required.

vi. The Petitioner/Accused No.2 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.

vii. The Petitioner/Accused No.2 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/- U.SRIDEVI
DEPUTY REGISTRAR

SECTION OFFICER

//TRUE COPY//

To,

1. The VI Additional Judicial Magistrate of First Class for Railways, Visakhapatnam, Visakhapatnam District.
2. The Superintendent, Central Jail, Visakhapatnam.
3. The Station House Officer, Government Railway Police Station, Vizianagaram.
4. One CC to Sri. BALABHADRUNI MANOHAR, Advocate [OPUC]
5. Two CCs to the PUBLIC PROSECUTOR, High Court of Andhra Pradesh, Amaravati. [OUT]
6. One spare copy

JSS

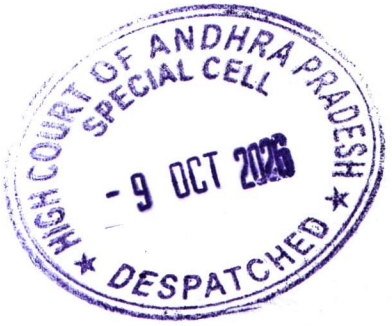
HIGH COURT

Dr.YLR, J

DATED:07/10/2026

BAIL ORDER

CRLP NO. 8597 OF 2026



ALLOWED