APHC010532202026

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

WEDNESDAY, THE 28th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 8920/2026

Between:

1. BOBBILI DINESH KUMAR ALIAS DINESH, S/O RAJU, AGED 21 YEARS,R/O D.NO. 1. 8-123, NEAR RICE SHOP, THOTAGAMVU JUNCTION,ARILOVA, VISAKHAPATNAM CITY.
2. THOTA YASHWANTH, S/O SATTI RAJU, AGED 21 YEARS,R/O FLAT NO. FFL, YSR COLONY, DABBANDA,ANANDAPURAM, VISAKHAPATNAM CITY.

...PETITIONER/ACCUSED Nos.1 & 4

AND

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

...RESPONDENT/COMPLAINANT

Counsel for the Petitioner/accused(S):

1. DASARI RAMAKOTESWAR RAO

Counsel for the Respondent/complainant:

1. PUBLIC PROSECUTOR

The Court made the following:

ORDER:

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 Petitioners/Accused Nos.1 & 4 on bail in Crime No.261 of 2026 of Arilova Police Station, Visakhapatnam Commissionerate, registered for the alleged offences punishable under Sections 20(b)(ii)(B) read with 8(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for brevity 'the NDPS Act').

2. Mr. Dasari Ramakoteswara Rao, the learned counsel for the Petitioners, submits that the Petitioners are innocent of the alleged offence and they have been falsely implicated by the police. It is further submitted that the Petitioners are the sole earning members of the family and, therefore, their incarceration would cause undue hardship to their dependents. They are law-abiding citizens. The Petitioners undertake 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, the learned Assistant Public Prosecutor vehemently opposed the grant of bail to the Petitioners, submitting that the investigation is still underway and several material witnesses remain to be examined. It is contended that if the Petitioners are released on bail at this

stage, there is a strong likelihood that they may abscond, thereby hampering the ongoing investigation and evading the process of law. Hence, it is urged to dismiss the Criminal Petition.

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

5. As seen from the record, the Petitioners are arraigned as Accused Nos.1 & 4 in this case. The Petitioners are at an impressionable age of 21 years. They were apprehended while they were in conscious possession and transportation of 3.055 kgs of ganja. It is not a commercial quantity. They have been in judicial custody for the past 45 days pursuant to their arrest on 13.09.2026. So far, four witnesses have been examined. One similar adverse antecedent is reported against Petitioner No.2/Accused No.4. No similar adverse antecedents are reported against Petitioner No.1/Accused No.1. However, two offences punishable under the Bharatiya Nyaya Sanhita, 2023[1] are reported against Petitioner No.1/Accused No.1.

6. The Petitioners are permanent residents of Visakhapatnam City. They have got fixed abode. If the Petitioners are enlarged on bail subject to stringent conditions, there is no likelihood of their interfering with the investigation, threatening witnesses, or tampering with evidence.

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[1] 'the BNS'

7. Having regard to the facts and circumstances of the case, the nature and gravity of allegations levelled against the Petitioners/Accused Nos.1 & 4, this Court is inclined to enlarge the Petitioners/Accused Nos.1 & 4 on bail with some stringent conditions.

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

i. The Petitioner No.1/Accused No.1 shall be enlarged on bail subject to his executing a bond for a sum of Rs.20,000/- (Rupees Twenty Thousand Only) with two sureties for the like sum each, and Petitioner No.2/Accused No.4 shall be enlarged on bail subject to his executing a bond for a sum of Rs.50,000/- (Rupees Fifty Thousand Only) with two sureties for the like sum each, to the satisfaction of the learned Chief Judicial Magistrate, Visakhapatnam.

ii. The Petitioners/Accused Nos.1 & 4 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 Petitioners/Accused Nos.1 & 4 shall not leave the limits of the State of Andhra Pradesh without prior permission from the Station House Officer concerned.

iv. The Petitioners/Accused Nos.1 & 4 shall not commit or indulge in commission of any offence in future.

v. The Petitioners/Accused Nos.1 & 4 shall cooperate with the Investigating Officer in further investigation of the case and shall make themselves available for interrogation by the Investigating Officer as and when required.

vi. The Petitioners/Accused Nos.1 & 4 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 Petitioners/Accused Nos.1 & 4 shall surrender their passports, if any, to the Investigating Officer. If they claim that they do not have passports, they shall submit affidavits to that effect before the Investigating Officer.

DR. Y. LAKSHMANA RAO, J

Date: 28.10.2026
PRA

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 8920 of 2026

Date: 28.10.2026

PRA