APHC010546242026

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

TUESDAY, THE 10th DAY OF NOVEMBER 2026

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 9131/2026

Between:

NAUBAHARBIBI SHAIK, W/O ASHRAFUL SHAIK, AGED 34 YEARS,RIO MALLICKPUT BABURBANDH, SAHA BASANTHAPUR POST,PURBA BARDHAMAN DISTRICT, STATE OF WEST BENGAL.

...PETITIONER/ACCUSED

AND

THE STATE OF ANDHRA PRADESH, REP. BY ITS PUBLIC PROSECUTOR,HIGH COURT OF ANDHRA PRADESHAT AMARAVATI.

...RESPONDENT/COMPLAINANT

Counsel for the Petitioner/accused:

DASARI RAMAKOTESWAR RAO

Counsel for the Respondent/complainant:

PUBLIC PROSECUTOR

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 Crime No.147 of 2026 of Government Railway Police Station, Palasa District, 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.D.Ramakoteswar Rao, the learned Counsel for the Petitioner submits that the Petitioner is innocent of the alleged offence. The petitioner is a female. She has been falsely implicated by the police. She is a law-abiding citizen. She has not committed any offence. 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.

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 she 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 is arraigned as Accused No.1. The petitioner was arrested on 29.09.2026 and has been in judicial custody for the past 42 days. The allegation against the petitioner is that she was knowingly and consciously involved in the illegal transportation of 11.00 kgs of ganja. The seized contraband does not fall within the category of commercial quantity. So far, seven witnesses have been examined, and a substantial portion of the investigation has been completed. There are no adverse antecedents reported against the petitioner.

6. The petitioner is a permanent resident of the State of West Bengal and has got fixed abode. If the petitioner is enlarged on bail subject to stringent conditions, there is no likelihood of her 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, and the period of incarceration undergone by her, 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 her executing a bond for a sum of Rs.3,00,000/- (Rupees Three 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.1 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.1 shall cooperate with the Investigating Officer in further investigation of the case and shall make herself available for interrogation by the Investigating Officer as and when required.

iv. The Petitioner/Accused No.1 shall not leave the limits of the District without prior permission from the Station House Officer concerned.

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

vi. 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.

vii. The Petitioner/Accused No.1 shall surrender her passport, if any, to the Investigating Officer. If she claims

that she does not have passport, she shall submit affidavit to that effect to the Investigating Officer.

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DR. Y. LAKSHMANA RAO, J

Date: 10.11.2026
RSI

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 9131 of 2026

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RSI