APHC010552012026

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: 9221 OF 2026

Between:

1. Muna Bardan, S/o late Bisikeshan Bardan, Aged 31 years, R/o Tabalaguda Village, Golaguda Panchayat, Kenduguda PS, Gunupur Block, Rayagada District, State of Odisha.
2. Sanjana Karji, W/o Sanjay, Aged 30 years, R/o Mandala Sahi, Ramagiri Block, Ramagiri PS, Gajapati District, State of Odisha.

...Petitioners/Accused No.1 & 2

AND

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

...Respondent/Complainant

Petition under Sections 480 and 483 of BNSS, praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to release the Petitioners/Accused. No. 1 & 2 on bail in Crime No.320 of 2026, on the file of the Kasibugga Police Station.

The Petition coming on for hearing, upon perusing the Petition and the grounds filed in support thereof and upon hearing the arguments of Sri Dasari Ramakoteswar Rao, Advocate for the Petitioners and of Public Prosecutor for 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 Petitioners/Accused Nos.1 and 2 on bail in Crime No.320 of 2026 of Kasibugga Police Station, Srikakulam 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 Petitioners submits that the Petitioners are innocent of the alleged offence. 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 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 and urged to dismiss the Petition.

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

5. On perusal of the record, the petitioners are arraigned as Accused Nos.1 and 2. They have been in judicial custody for the past 43 days pursuant to their arrest on 17.09.2026. There are no adverse antecedents reported against the petitioners. They were arrested on the spot. The seized contraband is 18.415 kgs of ganja, which is below the commercial quantity. So far, seven witnesses have been examined, and a substantial portion of the investigation has been completed. No application has been filed seeking custodial interrogation of the petitioners.

6. The petitioners are permanent residents of the State of Odisha, and have got fixed abode. If the petitioners are enlarged on bail subject to stringent conditions, there is no likelihood of their 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 petitioners, the period of incarceration undergone by them and the stage of investigation, this Court is inclined to enlarge the Petitioners/Accused Nos.1 and 2 on bail, subject to certain stringent conditions.

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

i. The Petitioners/Accused Nos.1 and 2 shall be enlarged on bail subject to their executing a bond for a sum of Rs.2,00,000/- (Rupees Two lakhs only) each with two sureties for the like sum each to the satisfaction of the learned Judicial Magistrate of First Class, Palasa.

ii. The Petitioners/Accused Nos.1 and 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 Petitioners/Accused Nos.1 and 2 shall not leave the limits of the District without prior permission from the Station House Officer concerned.

iv. The Petitioners/Accused Nos.1 and 2 shall not commit or indulge in commission of any offence while on bail.

v. The Petitioners/Accused Nos.1 and 2 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 and 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 Petitioners/Accused Nos.1 and 2 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 to the Investigating Officer.

SD/- CH.R.N.SAROJINI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Judicial Magistrate of First Class at Palasa.
2. The Superintendent, Central Prison, Visakhapatnam.
3. The Station House Officer, Kasibugga Police Station, Srikakulam District.
4. One CC to Sri Dasari Ramakoteswar Rao, Advocate [OPUC]
5. Two CCs to Public Prosecutor, High Court of AP, Amaravati. [OUT]
6. One spare copy.

PSD

HIGH COURT

DR.YLR,J

DATE:30/10/2026

BAIL ORDER

CRLP NO. 9221 OF 2026



ALLOWED