APHC010562762026

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

FRIDAY, THE 6th DAY OF NOVEMBER 2026

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 9393/2026

Between:

1. SAMBUNATH JENA, S/O NITYANANDA JENA ,AGED 29 YEARS, SODA BHADRAK DISTRICT .ODISHA STATE
2. AJAY JENA, S/O GIRIDHAR JENA,AGED ABOURT 27 YEARS. SODA BHADRAK DISTRICT. ODISHA STATE.
3. MANOJ PRADHAM, , S/O JALANDHAR AGED 26 YEARS, KALAPODAR,PURI ODISHA STATE.

...PETITIONER/ACCUSED(S)

AND

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

...RESPONDENT/COMPLAINANT

Counsel for the Petitioner/accused(S):

KOPPISETTI PARVATI DEVI

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 Petitioners/Accused Nos.1 to 3 on bail in connection with Crime No.99 of 2026 of Government Railway Police Station, Tuni, East Godavari District, registered for the alleged offences punishable under Sections 8(c) read with 20(b)(ii)(A) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for brevity 'the NDPS Act').

2. Ms.Koppisetti Parvathi Devi, 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 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, 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 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 to 3. The petitioners were arrested on 25.09.2026 and have been in judicial custody for the past 73 days. The allegation against the petitioners is that they were found in possession of and transporting 1.800 Kgs of ganja in the form of chocolates. So far, six witnesses have been examined. An application seeking custodial interrogation of the petitioners has been filed and is pending before the Court concerned. The investigation is still at a progressive stage. Of course, there are no adverse antecedents reported against the petitioners/Accused Nos.1 to 3.

6. Nowadays, parents are facing considerable difficulties in dealing with their children, who often insist on having chocolates. In such circumstances, the alleged act of mixing ganja powder in chocolates intended for consumption by children is a matter of serious concern. If such chocolates are consumed by children, it may have serious consequences for their health and well-being. This is an alarming situation, as the alleged act poses a grave threat to the lives and safety of children in society.

7. Having regard to the facts and circumstances of the case, the nature and gravity of the allegations levelled against the petitioners/Accused Nos.1 to 3, and in view of the pendency of the investigation, this Court is not inclined to

enlarge the petitioners on bail at this stage. Hence, this Court finds no merit in the Criminal Petition, and the same is liable to be dismissed.

8. 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: 06.11.2026
RSI

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THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 9393 of 2026

Date: 06.11.2026
RSI