APHC010591582026

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

FRIDAY, THE 13th DAY OF NOVEMBER 2026

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 9959/2026

Between:

MD AMEER BASHA, S/O. MOOGI BABJI LATE,AGED ABOUT 27 YEARS, R/O DHARMA NAGAR,THATICHETLAPALEM,VISAKHAPATNAM.R/O D.NO.18-13-17, THABI STREET,NEAR RAMALAYAM,MAHARANIPETA, VISAKHAPATNAM.

...PETITIONER/ACCUSED

AND

THE STATE OF ANDHRA PRADESH, REP BY ITS PUBLIC PROSECUTOR,HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI

...RESPONDENT/COMPLAINANT

Counsel for the Petitioner/accused:

PULAPALLI BABJI

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.248 of 2026 of Arilova Police Station, Visakhapantam District, registered for the alleged offences punishable under Sections 8(c) read with 20(b)(ii)(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for brevity 'the NDPS Act').

2. Mr.Pulapalli Babji, 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, 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 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 is arraigned as Accused No.1. The petitioner is at an impressionable age of 27 years. The alleged offence took place on 02.09.2026. The petitioner was arrested on 07.09.2026 and has been in judicial custody for the past 67 days. He acted as the driver of the vehicle in which 3.70 kgs. of ganja was allegedly transported. There are two adverse antecedents reported against the petitioner, one relating to a similar offence and the other under the provisions of 'the IPC'. Accused Nos.2 to 4 have already been enlarged on bail by the learned Trial Court *vide* orders dated 27.10.2026 in Crl.M.P.Nos.2378 and 2388 of 2026. 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. The petitioner is a permanent resident of Visakhapatnam District and has a fixed abode.

6. 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 him, this Court is inclined to enlarge the petitioner/Accused No.1 on bail, subject to certain stringent conditions.

7. 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 his executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties for the like sum each to the satisfaction of the learned Chief Judicial Magistrate, 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 himself available for interrogation by the Investigating Officer as and when required.

iv. The Petitioner/Accused No.1 shall not leave the limits of the State of Andhra Pradesh without prior permission from the learned Trial Court 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 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.

DR. Y. LAKSHMANA RAO, J

Date: 13.11.2026
RSI

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 9959 of 2026

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RSI