APHC010593932026

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

TUESDAY, THE 17th DAY OF NOVEMBER 2026

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 9988/2026

Between:

1. SHAIK MASTAN, ,S/O. KHADAR VALLI, AGED ABOUT 21 YEARS,R/O. D.NO. 13-81, TIC POINT, ARILOVA,VISAKHAPATNAM CITY AND DISTRICT, A.P.
2. MOHAMMAD ERFAN, ,S/O. MD. ABBAS, AGED ABOUT 26 YEARS,R/O. D.NO. 13-933/2, MUSTAFA COLONY, ARILOVA VISAKHAPATNAM CITY AND DISTRICT, A.P.

...PETITIONER/ACCUSED(S)

AND

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

...RESPONDENT/COMPLAINANT

Counsel for the Petitioner/accused(S):

BALABHADRUNI MANOHAR

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 and 3 on bail in Crime No.244 of 2026 of Arilova Police Station, Visakhapatnam District, registered against the Petitioners/Accused Nos.1 and 3 for the offence punishable under Sections 20(b)(ii)(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for brevity 'the NDPS Act'), Section 25(1-B) of the Arms Act, 1959.

2. Mr.Balabhadruni Manohar, learned counsel for the petitioners, submits that the petitioners are innocent of the alleged offences and have been falsely implicated in the present case. They have not committed any offence. They are the sole earning members of the family. They are law-abiding citizens. They have got fixed abode. The petitioners undertake to abide by any conditions that may be imposed by this Court while granting bail. Hence, learned counsel urges that the petition may be allowed.

3. *Per contra*, Mr. A. Sai Rohith, learned Assistant Public Prosecutor, vehemently opposes 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 likelihood of their absconding, thereby hampering the ongoing investigation and evading the process of law. In view of the foregoing

submissions, learned Assistant Public Prosecutor urges that the petition be dismissed.

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 and 3. The petitioners were arrested on 13.08.2026 and have been in judicial custody for the past 96 days. The investigation is not yet completed, and so far, only three witnesses have been examined. The allegation against the petitioners is that they were found in illegal and conscious possession and transportation of 3.90 grams of ganja. There are two adverse antecedents reported against the petitioner; however, none of them is similar in nature, as they relate to offences under Sections 302 and 324 of ‘the IPC’, respectively.

6. Having regard to the facts and circumstances of the case, the nature and gravity of the allegations levelled against the petitioners/Accused Nos.1 and 3 and in view of the pendency of the investigation, the request for enlarging the petitioners on bail is not found convincing and reasonable. Hence, this Court finds no merit in the Criminal Petition, and the same is liable to be dismissed.

7. In the result, the Criminal Petition is dismissed.

As a sequel, Miscellaneous petitions, if any pending, shall stand closed.

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DR. Y. LAKSHMANA RAO, J

Date: 17.11.2026
RSI

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THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 9988 of 2026

Date: 17.11.2026
RSI