APHC010594672026

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: 10001/2026

Between:

1. NAFRAZ V K, S/O RAHOOF C.K, AGED 21 YEARS,R/O MUKRI HOUSE, ELAYAVOOR, P.O. VARAM,KANNUR DISTRICT, STATE OF KERALA.NOW AT NEAR AACHRYA COLLEGE AREA,BANGALORE, STATE OF KARNATAKA.
2. FAIZAN RAJAK C K, S/O ABDUL RAZAK NALKA, AGED 21 YEARS,R/O PURAKANDY HOUSE, MAYANMUKKU, P.O. KANHIROAD,KANNUR DISTRICT, STATE OF KERALA.NOW AT NEAR AACHRYA COLLEGE AREA,BANGALORE, STATE OF KARNATAKA.

...PETITIONER/ACCUSED(S)

AND

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

...RESPONDENT/COMPLAINANT

Counsel for the Petitioner/accused(S):

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 Petitioners/Accused Nos.2 and 3 on bail in connection with Crime No.15 of 2026 of Maredumilli Police Station, Polavaram District, registered for the alleged offences punishable under Sections 125, 281 of the Bharatiya Nyaya Sanhita, 2023 (for brevity 'the BNS') and Section 8(c) read with 20(b)(ii)(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. They are law-abiding citizens. They have not committed any offence. They are the sole earning members of the family. 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.2 and 3. The petitioners were arrested on 21.04.2026 and have been in judicial custody for the past 197 days. It is alleged that they were found in possession of and transporting 152 kgs of ganja and three litres of Hashish Oil. Even after completion of 180 days of remand of the petitioners, the charge sheet has not yet been filed. An application seeking extension of remand was filed before the learned Trial Court, but the same was dismissed by the learned Trial Court. The seized contraband is of commercial quantity. So far, twelve witnesses have been examined, and a substantial portion of the investigation has been completed. There are no adverse antecedents reported against the petitioners.

6. The petitioners are the permanent resident of the State of Karnataka 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, and the period of incarceration undergone by them, this Court is inclined to enlarge the

Petitioners/Accused Nos.2 and 3 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.2 and 3 shall be enlarged on bail subject to their executing a bond for a sum of Rs.5,00,000/- (Rupees Five Lakhs only) with two sureties for the like sum each to the satisfaction of the learned Judicial First Class Magistrate, Rampachodavaram.

ii. The Petitioners/Accused Nos.2 and 3 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.2 and 3 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.

iv. The Petitioners/Accused Nos.2 and 3 shall not leave the limits of the District without prior permission from the Station House Officer concerned.

v. The Petitioners/Accused Nos.2 and 3 shall not commit or indulge in commission of any offence while on bail.

vi. The Petitioners/Accused Nos.2 and 3 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.2 and 3 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.

DR. Y. LAKSHMANA RAO, J

Date: 17.11.2026
RSI

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 10001 of 2026

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RSI