

**IN THE HIGH COURT FOR THE STATE OF TELANGANA AT
HYDERABAD**

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.801 of 2026

DATE: 03.02.2026

Between:

Abhay Kumar

.... Petitioner/
Accused

AND

State of Telangana,
Through Prohibition and Excise,
Sangareddy Police Station,
Sangareddy District, Rep. by the
Public Prosecutor for the State of Telangana,
At Hyderabad.

.... Respondent/
Complainant

ORDER

This criminal petition is filed under Sections 480 & 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner/accused seeking enlargement on bail in connection with C.O.R.No.130 of 2025 of Prohibition and Excise, Sangareddy District. The offences alleged against the petitioner are under Sections 8(c) read with 20(b)(ii)(B), 21(b),

22(b) and 22(c) of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act').

2. The case of the prosecution is that, on 22.08.2025, on reliable information, the *de-facto* complainant and his staff conducted route wtch on NH-65, wherein they found accused in possession of 108 grams of Charas, 2.90 grams of MDMA, 10 blots of LSD papers, weighed (0.18) grams without cover, 3.01 grams of Cocaine with cover and 4.4 grams of MDMA Ecstasy pills. Immediately, they conducted seizure panchanama and seized the contraband, mobile phone and other articles. Basing on the same, the police registered a case against the accused for the above offences.

3. Heard Sri M. Pruthvi Raj, learned counsel for the petitioner and Sri D. Arun Kumar, learned Additional Public Prosecutor appearing for the respondent-State.

4. The contention of the learned counsel for the petitioner is that the petitioner is innocent of the allegations and has been falsely implicated in the present case. He further contended that the petitioner has been in judicial custody since 22.08.2025, and that the father of the petitioner is suffering with severe ailments and that the entire investigation is

completed. Therefore, he prayed the Court to grant bail to the petitioner.

5. On the other hand, the learned Additional Public Prosecutor opposed the contentions made by the learned counsel for the petitioner, stating that the alleged offence falls under the provisions of the NDPS Act and that the seized contraband constitutes a commercial quantity. In view of Section 37 of the NDPS Act, he contended that the petitioner is not entitled to bail.

6. In the light of the submissions made by both the learned counsel and a perusal of the material available on record, it appeared that the petitioner is in judicial custody since 22.08.2025 and that the material part of the investigation had already been completed. Considering the facts and circumstances of the case, the period of incarceration of the petitioner, and the progress in investigation, this Court deemed it fit to grant bail to the petitioner, subject to certain conditions:

- i. The petitioner shall execute a personal bond for a sum of Rs.10,000/- (Rupees Ten Thousand only), with two sureties for a like sum each to the satisfaction of

the learned I Additional District and Sessions Judge, Sangareddy District at Sangareddy.

- ii. The petitioner shall appear before the concerned SHO at 11:00 a.m., on every Monday for a period of eight (8) weeks or till filing of charge sheet whichever is earlier, for the purpose of investigation, and thereafter, as and when required.
- iii. The petitioner shall abide by the conditions stipulated in Section 437(3) of Cr.P.C.(presently, Section 480(3) of the BNSS).

7. Accordingly, the Criminal petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

Date: 03.02.2026
SS

K. SUJANA, J

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