

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

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.991 of 2026

DATE: 05.02.2026

Between:

Biren Naik

.... Petitioner/Accused No.1

AND

The State of Telangana,
Rep. by its Public Prosecutor,
High Court for the State of Telangana
At High Court Buildings, Hyderabad,
State of Telangana.

.... Respondent/Complainant

ORDER

This Criminal Petition is filed under Sections 480 & 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner/A1 seeking enlargement on bail in connection with C.O.R. No.116 of 2025 of Prohibition and Excise Police Station, Hayathnagar. The offences alleged against the petitioner are under Sections 8(c) read with 20(b)(ii)(C) of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act').

2. The facts of the case are that on 09.09.2025, the Prohibition and Excise Police, RR Zone conducted a route watch and at RFC Main gate, Abdullapurmet, Ranga Reddy District, they found two persons in illegal possession and transportation of dry ganja weighing about 21.33 kilograms and seized the same. As such, a case was registered against the accused for the said offences.

3. Heard Sri Seshagiri Rao Yelamanchili, 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 arrayed as accused No.1, is innocent of the allegations and has been falsely implicated in the present case. He further contended that the petitioner have been in judicial custody since 09.09.2025, i.e., for a period exceeding 180 days, and till date no charge sheet has been filed by the investigating authority. In view of the prolonged incarceration without completion of investigation, 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. However, he informed the Court that no charge sheet has been filed as of today.

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 has been in judicial custody since 09.09.2025 and though the alleged contraband was of commercial quantity i.e., 21.33 kilograms of dry ganja, no charge sheet had been filed by the investigating authority. Considering the facts and circumstances of the case, the period of incarceration of the petitioner, and the fact that no charge sheet had been filed, this Court deemed it fit to grant bail to the petitioner/A1, subject to the following conditions:

- i. The petitioner shall execute a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only), with two sureties for a like sum each to the

satisfaction of the learned I Additional District and Sessions Judge, Ranga Reddy District, at L.B. Nagar.

- 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.

K. SUJANA, J

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SS

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