

IN THE HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.1040 of 2026

DATE: 20.02.2026

BETWEEN:

Alu Siba

.....petitioner/accused No.2

And

The State of Telangana,
Rep. by Public Prosecutor,
High Court for the State of Telangana,
at Hyderabad.

.....Respondent/complainant

ORDER

This Criminal Petition is filed under Section 480 & 483 of Bharaitya Nagarik Suraksha Sanhita, 2023 praying this Court to enlarge the petitioner on bail who is arrayed as accused No.2 in Crime No.511 of 2025 of Railway Police

Station, Secunderabad, Secunderabad R.P. District. The offences alleged against the petitioner are under Sections 8 (c) r/w. Section 20(b) (ii) (C) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act') and under Section 78 of the Juvenile Justice (Care and Protection of Children) Act, 2015.

2. The brief facts of the case are that on 20.09.2025, at about 08.00 a.m, the S.I of Police, along with his staff while on routine check in trains and platforms of Secunderabad Railway Station, at about 08.10 hours, they found two persons under suspicious circumstances with two bags in general waiting hall on platform No.1. On enquiry they disclosed their identity and on checking their bags they found 19 bundles each bundle wrapped with brown colour adhesive plaster and on questioning them they stated that on 19.09.2025 they brought Ganja from Barhampur of Odisha to Secunderabad through Visakha Express. Immediately they were arrested and seized the contraband weighing 37.518 kgs from them. Hence, a case was registered against the accused for the above offences.

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

4. The contention of learned counsel for the petitioner is that petitioner is innocent of the alleged offences and he is falsely implicated in this case. The police have not followed Sections 42, 43 and 50 of NDPS Act as the seizure took place at public place and there is no conscious possession from this petitioner. The petitioner is in jail from 20.09.2025 and most of the investigation is completed. Hence, prayed this Court to grant regular bail to the petitioner.

5. On the other hand, learned Additional Public Prosecutor opposed bail on the ground that the quantity involved in this case is huge commercial quantity. In view of rigor of Section 37 of NDPS Act, petitioner is not entitled for bail and requested this Court to dismiss this petition.

6. In the light of the submissions made by both the learned counsel and a perusal of the material available on record, it appears that the petitioner is in jail since 20.09.2025. As seen from the record, the material part of the investigation has been completed and L.Ws.1 to 9 witnesses

have been examined. Considering the facts and circumstances of the case and the incarceration period of the petitioner, this Court deems it fit to grant bail to the petitioner, subject to the following conditions:

- i. The petitioner shall execute a personal bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each, with two sureties for a like sum each to the satisfaction of the learned II Judicial Magistrate of First Class for Railways at Secunderabad.
- ii. The petitioner shall appear before the concerned SHO at 11:00 a.m., on every Monday for a period of eight (8) week 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

Date: 20.02.2026
SAI

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