

IN THE HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.1428 of 2026

DATE: 19.02.2026

BETWEEN:

Pabitra Dalabehera and others

.....petitioners/accused Nos.1 to 5

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 praying this Court to enlarge the petitioners on bail who are arrayed as accused Nos.1 to 5 in Crime No.481 of 2025 before the Chilkaiguda

Police Station, Hyderabad, registered for the offence punishable under Sections 8(c) read with 20(b)(ii)(C) of NDPS Act.

2. The brief facts of the case are that on 15.09.2025 at about 18:45 hours, the Sub-Inspector of Police, Chilkalguda Police Station, received credible information that five persons would be arriving near 2BHK Dignity House Colony, Dhobighat, in possession of ganja for delivery to customers. After complying with Section 42 of the NDPS Act and making necessary GD entries, the police party, along with mediators and the Clues Team, proceeded to the spot and apprehended five persons between 19:30 and 19:40 hours. It was alleged that upon search, conducted after informing them of their rights under Section 50 of the NDPS Act, 20 packets of ganja weighing a total of 52.458 kilograms were recovered from their bags, along with mobile phones and railway tickets. The contraband was seized, sealed, and the accused were arrested and remanded.

3. Heard Sri M. Amarnath, learned counsel appearing on behalf of the petitioners as well as Sri M. Ramachandra

Reddy, learned Additional Public Prosecutor appearing on behalf of the respondent – State.

4. Learned counsel for the petitioner submitted that the petitioners have been falsely implicated and that the alleged mandatory provisions under Sections 42 and 50 of the NDPS Act were not properly complied with and that the seizure and confession were doubtful and that the alleged confessional statement recorded by the police was inadmissible in evidence. Therefore, he prayed the Court to grant bail to the petitioners by allowing this Criminal Petition.

5. On the other hand, learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioners stating that the petitioners are the drug peddlers. He further submitted that the investigation is in progress and if the petitioners are released on bail, at this stage, they may tamper with the evidence and may threaten the witnesses. Hence, he prayed the Court to dismiss the criminal 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 16.09.2025. As seen from the record, the material part of the investigation has been completed and L.Ws.1 to 13 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.25,000/- (Rupees Twenty Five Thousand only) each, with two sureties for a like sum each to the satisfaction of the learned X Additional Chief Judicial Magistrate, 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

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SAI

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