

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

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.1857 of 2026

DATE: 24.02.2026

BETWEEN:

Umakanta Sabar.

.....petitioner/accused No.2

And

The State of Telangana,
Rep. by its Public Prosecutor,
High Court for the State of Telangana,
at Hyderabad, Through P.S. Excise Sangareddy.

.....Respondent/complainant

ORDER:

This Criminal Petition is filed praying this Court to enlarge the petitioner on bail who is arrayed as accused No.2 in NDPS SC.No.170 of 2025 arising out of COR No.132 of 2025 before the Prohibition and Excise Police Station, Sangareddy District,

registered for the offence punishable under Sections 8(c) read with 20(b)(ii) (c) of NDPS Act, 1985.

2. The brief facts of the case are that on 25.08.2025 on reliable information the DTF Sangareddy team and SHO Sangareddy along with their staff jointly conducted route check on NH-65 at Cheriya Gate, Opposite Amana's Whitefield Venture, road leading from Patancheru to Sangareddy, Cheriya and during the course of their check they stopped one white colour TATA Indica Vista bearing No.AP 35 AE 5979 and found 33 dry ganja packets total 69.536 kgs of dry ganja and within five minutes thereafter they stopped another Silver Colour TATA India Vista bearing No.AP 39 GR 5014 and found 35 packets of dry ganja total weighing 53.318 kgs and seized the same under the cover of panchanama. Hence, a complaint was lodged against the accused for the above offences.

3. Heard Sri Santhosh Somu, learned counsel appearing on behalf of the petitioner 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 petitioner was falsely implicated and that the allegations were baseless and concocted, as no recovery was effected in the presence of independent witnesses despite the alleged seizure having taken

place in a busy public area. He further submitted that the mandatory provisions of the NDPS Act, including compliance with Sections 51(1) and 52A, were not followed, as no notice was served, no Gazetted Officer was present, and no samples were properly drawn, thereby vitiating the prosecution case. He contended that mere presence in the vehicle did not establish conscious possession or mens rea and that the petitioner had no criminal antecedents. Therefore, he prayed the Court to grant bail to the petitioner by allowing this Criminal Petition.

5. On the other hand, learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioner stating that the petitioner is a drug peddler. He further submitted that the investigation is in progress and if the petitioner is released on bail, at this stage, he may tamper with the evidence and may threaten the witnesses. Hence, he prayed the Court to dismiss the criminal petition.

6. Having regard to rival submissions made, and on going through the material placed on record, it is noted that petitioner is in jail from 25.08.2025 and material part of the investigation is already completed, followed by filing of chargesheet. That apart, there are no other pending cases against the petitioner. Therefore, considering the facts and circumstances of this case in entirety, this

Court deems it fit to grant bail to the petitioner, subject to following the below 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, Sangareddy District.
- ii. The petitioner shall appear before the concerned SHO at 11:00 a.m., on every Wednesday for a period of eight (8) weeks, for the purpose of investigation, and thereafter, as and when required.
- iii. The petitioner shall abide by the conditions stipulated in Section 480(3) of the BNSS, earlier known as Section 437(3) of Cr.P.C.

7. Accordingly, the Criminal petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 24.02.2026

SRK

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