

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

**FRIDAY, THE TWENTIETH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX**

PRESENT

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION NO: 1751 OF 2026

Between:

1. Kousar, S/o. Mohammed Miskeen, Age. 25 years, Occ. Daily wage workers, R/o. H.No. 2-4-37, Kolipura, Adilabad District
2. Jahed Chavus @ Shaik Zahid, S/o. Shaik Javeed Age. 25 years, Occ. Daily wage workers, R/o. H.No. 2-4-5, Mahalaxmiwada, Adilabad District
3. Abdul Sajil @ Abdul Sazeel, S/o. Abdul Chaush Age. 23 years, Occ. Daily wage workers, R/o. H.No. 2/4/38, Kolipura, Adilabad District.

...PETITIONER/ACCUSED NO. 1 TO 3

AND

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

...RESPONDENT

Petition under Section 482 of BNSS praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to enlarge the petitioners/ accused No. 1 to 3 on Anticipatory Bail in the event of arrest in Crime No. 44/2026 on the file of SHO, I-Town Police Station, Adilabad District to abide by the condition or conditions that might be imposed by this Court.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri Soma Ravi Kiran Reddy, Advocate for the Petitioner and Sri Ramachandra Reddy, Additional Public Prosecutor, High Court for the State of Telangana, Hyderabad on behalf of the Respondent.

The Court made the following: ORDER:

IN THE HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.1751 of 2026

20.02.2026

Between:

Kousar and others.

PETITIONERS

AND

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

RESPONDENT

ORDER

This Criminal Petition is filed before this Court for grant of pre-arrest bail to the petitioners who are arrayed as accused Nos.1 to 3 in Crime No.44 of 2026 before the I Town Police Station, Adilabad District, registered for the offences punishable under Sections 8(c) r/w 20(b)(ii)(A) and 27(b) of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act').

2. The case of the prosecution is that on 19.01.2026 at about 13:00 hours, the complainant, on receipt of credible information regarding sale of ganja near Diet Ground, Adilabad, made a GD entry and informed her superior officer under Section 42(2) of the NDPS Act. She secured two panch witnesses and proceeded to the spot along with police staff. On arrival, one person was found sitting suspiciously, who on seeing the police threw away a plastic cover and attempted to escape, but on search, dried ganja weighing 15 grams including the cover was found in possession.

3. Heard Sri S.Ravi Kiran Reddy, learned counsel for the petitioners, and Sri Ramachandra Reddy, learned Additional Public Prosecutor appearing for the respondent-State.

4. Learned counsel for the petitioners contended that petitioners are innocent of the said allegations and were falsely implicated in this case. He averred that except vague allegations, there are no specific set of allegations against the petitioners. While averring that petitioners shall

cooperate with the investigating agency, he prayed this Court to grant pre arrest bail to the petitioners.

5. On the other hand, learned Additional Public Prosecutor opposed bail stating that the allegations against these petitioners are serious in nature, investigation is not yet completed and custodial interrogation is necessary to ascertain their specific roles. Therefore, prayed to dismiss this petition.

6. At this stage, it is pertinent to note that in cases arising under the NDPS Act, the Court is required to exercise great caution while considering a prayer for anticipatory bail, keeping in view the nature of allegations, gravity of the offence, and the necessity of custodial interrogation for a fair and effective investigation. The Hon'ble Supreme Court in the case of **Dinesh Chander v. State of Haryana**¹, affirmed the view of High Court observing that where the investigation material disclose a *prima facie* link of the accused with the alleged offence, such as his involvement being reflected from statements of co-accused, electronic communication, or financial

¹ SLP (Crl.) No. 9540 of 2025

transactions, the grant of pre-arrest protection would seriously hamper the process of investigation. The settled position of law is that anticipatory bail is not to be granted as a matter of routine or on mere assertion of innocence, particularly when the investigation is at a nascent stage and the role of the petitioner requires thorough examination. In such circumstances, the Court may rightly decline to extend the discretionary relief of anticipatory bail. Considering the facts of the case on hand, this Court is not inclined to grant the relief as sought for. There are no merits in this Criminal Petition and the same is liable to be dismissed.

7. In view thereof, this Criminal petition is dismissed.

Miscellaneous applications, if any pending, shall stand closed.

**SD/- AHMED ABDULLA KHAN
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. The Station House Officer, Adilabad-I Town Police Station, Adilabad District.
2. One CC to Sri. Soma Ravi Kiran Reddy, Advocate [OPUC]
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana, Hyderabad [OUT]
4. Two CD Copies.

PSK /PSL

Jks

HIGH COURT

DATED:20/02/2026



ORDER

CRLP.No.1751 of 2026

DISMISSING THE CRIMINAL PETITION

(7) — JKS
10/3/26.