

IN THE HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.3324 of 2026

DATE: 23.03.2026

BETWEEN:

Lokesh Bareth

.....petitioner/accused

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 petitioner on bail who is arrayed as accused No.1 in Crime No.763 of 2025 before the Keesara Police Station,

Rachakonda Commissionerate, registered for the offence punishable under Sections 17(c) and 18(b) of NDPS Act.

2. The brief facts of the case are that on 10.10.2025, the Sub-Inspector of Police, Keesara Police Station, while conducting vehicle checks at ORR, Kundanpally, apprehended the accused, who allegedly attempted to flee on seeing the police and disclosed that he was carrying opium and poppy straw. In the presence of panch witnesses, a confessional-cum-seizure panchanama was conducted, and 7 kg 112 grams of opium, 2 kg 24 grams of poppy straw, and a mobile phone were allegedly seized from the possession of the accused. Thereafter, the accused and the seized property were produced before the Station House Officer, and Crime No. 763 of 2025 was registered at Keesara Police Station for the offences under Sections 17(c) and 18(b) of the NDPS Act.

3. Heard Sri P. Vikas Raj, 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 mandatory procedure under the NDPS Act was not followed, inasmuch as no samples were drawn from the seized contraband in accordance with Standing Order No.1 of 1989 and Sections 42 and 50 of the Act. He further submitted that such non-compliance vitiated the prosecution case, as held by the Hon'ble Supreme Court and this Court, and that an adverse inference was liable to be drawn against the prosecution. 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. 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 10.10.2025. As seen from the record, the material part of the

investigation has been completed and L.Ws.1 to 8 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.15,000/- (Rupees Fifteen Thousand only) each, with two sureties for a like sum each to the satisfaction of the III Additional Junior Civil Judge-cum-III Additional Judicial Magistrate of First Class, Medchal-Malkajgiri District at Kushaiguda.
- 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: 23.03.2026
SAI

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