

IN THE HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.3307 OF 2026

DATE : 18.03.2026

Between :

Abba Naganna

... Petitioner/A.2

And

The State of Telangana,
Through P.S.Afzalgunj, Hyderabad.

... Respondent

: ORDER :

This criminal petition is filed under Sections 480 & 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 by the petitioner/A.2 praying to enlarge him on bail in connection with Crime No.413 of 2025 of Afzalgunj Police Station, Hyderabad. The offences alleged against the petitioner are under Sections 8(c) r/w.20(b)(ii)(c), 27-A, 27 of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act').

2. The facts of the case are that on 14.10.2025 on credible information that two persons would be arriving near CBS, Afzalgunj, Hyderabad for selling and handing over Hashish Oil to prospective Customers, the police along with the team reached the said spot and at about 13:40 hours, based on the informant's identification, the police apprehended five persons near CBS, Afzalgunj. Since the area was crowded, they were shifted to the Security Room of TGSRTC, CBS, Afzalgunj for further proceedings and on enquiry, the said persons disclosed their identities as K.Sanjay Kumar, Abba Naganna, K. Mahesh, Shaik Irfan and K. Lokesh and seized 1350 grams of Hashish oil from the possession of accused. Hence, a case was registered against the accused for the above offences.

3. Heard Sri Mohammed Ghouse Pasha, learned counsel appearing for the petitioner and Sri M.Ramachandra Reddy, learned Additional Public Prosecutor appearing for the respondent-State.

4. Learned counsel for the petitioner contends that the entire case is based only on inadmissible police statements and lacks independent corroboration; no neutral public witnesses were secured despite the alleged recovery at a busy public place, and proceedings were conducted in a closed room raising doubts about genuineness; that the alleged identification of the substance as Hashish Oil is based merely on a field kit without any mandatory FSL report, rendering the nature of the seized material unverified; that the alleged weight is based on presumptive calculations and only marginally above the threshold for commercial quantity; that there is no independent evidence linking the petitioner with alleged absconding accused; that he has no prior criminal record, is a first-time offender, and petitioner is the sole breadwinner of his family and his mother is suffering from acute heart failure requiring his constant care. Petitioner is in jail from 14.10.2025 and till now charge sheet is not filed. Hence, prayed this Court to grant regular bail to the petitioner.

5. On the other hand, learned Additional Public Prosecutor opposed bail stating that the petitioner is a drug

peddler and the allegations against him are serious in nature. Hence, in view of rigor of Section 37 of NDPS Act, petitioner is not entitled for bail and prayed to dismiss this petition. However, he informed that no other cases are pending against the petitioner.

6. Considering the submissions made by the learned counsel for both parties and upon perusal of the material available on record, it is noted that the petitioner has been in judicial custody since 14.10.2025 and charge sheet is not filed till today. Further there is no previous crime history against this petitioner. Considering the facts and circumstances of the case, the period of incarceration, this Court finds it appropriate to grant bail to the petitioner/A.2 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) with two sureties for a like sum each to the satisfaction of the II-Additional Chief Judicial Magistrate, at Hyderabad.
- ii. The petitioner shall appear before the concerned SHO between 09.00 a.m and 5.00 p.m., on every Wednesday for a period of eight (8) weeks 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 483(2) of the BNSS.

7. Accordingly, the Criminal Petition is allowed.

Miscellaneous petitions, if any, pending shall stand closed.

K. SUJANA, J

Date :18.03.2026

tu

THE HON'BLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.3307 OF 2026

DATE :18.03.2026

tu