

IN THE HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.3446 of 2026

DATE: 17.03.2026

BETWEEN:

Rashid Matlub Khan

.....petitioner/accused No.2

And

State of Telangana,

Rep. by its Public Prosecutor,

High Court at Hyderabad.

.....Respondent/Complainant

ORDER

This Criminal Petition is filed seeking to enlarge the petitioner, on bail, who is arrayed as accused No.2 in Crime No.102 of 2026, on the file of Attapur Police Station, Cyberabad Commissionerate, registered for the offences punishable under Sections 123, 125, 318 (4) read with 3(5) of BNS.

2. The prosecution case in brief is that on 26.01.2026, L.W.1 informed about the selling of drug injection near Asian M Cube Mall, Attapur. Thereafter, the SHO, PS Attapur along with his assistants rushed to the location and caught accused No.1, he is in possession of a injections and other prohibited drugs. Accused No.1 confessed to have committed the offence and the petitioner who is arrayed as accused No.2 is husband of accused No.3 is also involved in the said crime. As such, a case against the accused is registered.

3. Heard Sri CH. Janardhana Reddy, 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.

4. Learned counsel for the petitioner submitted that the petitioner is arrayed as accused No.2 and he is no way connected with the said offences and he is the husband of accused No.3. It is further submitted that the allegations against the petitioner herein are that he purchased the prohibited drug to supply the same to the customers of the jail from accused No.1 knowingly that it is a prohibited drug and the petitioner has been in jail since 29.01.2026 and the

material part of investigation is completed. Therefore, he prayed this 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 use of the alleged prohibited drug is harmful to those who knowingly consume it and participate in gym activities. It is further submitted that there is no license to any of the accused to sell the same, as such, granting bail to the petitioner, at this stage, does not arise. 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 is apparent that the petitioner, who is arrayed as accused No.2 is husband of accused No.3 and even according to the prosecution, the prohibited drug was recovered from accused No.1 and the petitioner has been languishing in jail since 29.01.2026, 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), with two sureties for a like sum each to the satisfaction of the learned XXV Additional Metropolitan Magistrate, cyberabad at Rajendranagar.
- ii. The petitioner shall appear before the concerned SHO at 11:00 a.m., on every Monday 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 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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