

IN THE HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.4270 OF 2026

DATE :07.04.2026

BETWEEN:

Bestha Likith Kanth

.....Petitioner/A.1

And

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

.....Respondent/Complainant

: ORDER :

This Criminal Petition is filed under Section 480 & 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 praying this Court to enlarge the petitioner on bail who is arrayed as accused No.1 in Crime No.9 of 2026 of Prohibition & Excise Police Station, Kondapur. The offences alleged against the petitioner are under Sections 8 (c) and 22(b) of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act').

2. The brief facts of the case are that on 01.02.2026 at about 01:24 PM, the STF Hyderabad team conducted route watch Opposite Indian Tiffin Room, Chandranaik Thanda, Madhapur, Ranga Reddy District. During the said raid the team detected illegal possession and sale of MDMA and seized one transparent zip-lock cover containing 6.84 grams of MDMA, one mobile phone (POCO F4 5G), and a two-wheeler motorcycle (Yamaha MT-15) bearing No. TS-11-EX-9393. Hence, the accused were apprehended and arrested and case was registered against them for the above offences.

3. Heard Sri D.Suryanarayana, learned counsel appearing on behalf of the petitioner and Sri M.Ramachandra Reddy, learned Additional Public Prosecutor appearing on behalf of the respondent – State.

4. The learned counsel for the petitioner contends that the petitioner is in jail from 01.03.2026. The police failed to comply with the mandatory provisions under Sections 41(2), 42, and 57 of the NDPS Act. It is further contended that there was an undue delay in drawing samples before the Magistrate which is in violation of the law laid down by the Hon'ble Supreme Court

in **Union of India V Mohanlal & another**¹. He further contended that the seized contraband does not fall within the category of commercial quantity, that the petitioner was not in conscious possession of the contraband, and that he has been falsely implicated in the case. Hence, prayed this Court to enlarge the petitioner on bail.

5. On the other hand, learned Additional Public Prosecutor opposed bail stating that the petitioner is transporting the contraband to sell it at higher price. However, the contraband is intermediate quantity and that no other cases are pending against him. If petitioner is released on bail, he may indulge in similar offence and may abscond which will cause hardship to the investigation. Hence, petitioner is not entitled to bail and prayed to dismiss this petition.

6. Considering the submissions made and a perusal of the material available on record, this Court finds that the contraband allegedly seized from the petitioner falls under intermediate quantity and not commercial quantity. Though the learned Additional Public Prosecutor opposed the bail on the

¹ AIR Online 2016 SC 606

ground that the petitioner may indulge in similar offences, it is not in dispute that no other criminal cases are pending against the petitioner. At this stage, having regard to the nature of allegations, the quantity involved, and the period of incarceration of petitioner in jail, this Court deems it fit to grant regular 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 I-Additional District and Sessions Judge, Ranga Reddy District at L.B.Nagar.
- ii. The petitioner shall appear before the concerned SHO between 09.00 a.m and 5.00 p.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 483(2) of the BNSS.

7. Accordingly, the Criminal Petition is allowed.

Miscellaneous petitions, if any, pending shall stand closed.

Date :07.04.2026
Rds

K. SUJANA, J

THE HON'BLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.4270 OF 2026

DATE :07.04.2026

Rds