

IN THE HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.5202 OF 2026

DATE : 21.04.2026

Between :

Solomon Paraj Jain

... Petitioner/A.1

And

The Union of India
Narcotics Control Bureau,
Rep. by its standing counsel,
High Court for the State of Telangana,
Hyderabad

... Respondent

: ORDER :

This Criminal Petition is filed praying this Court to enlarge the petitioner on bail who is arrayed as accused No.1 in NCB.F.No.IV/4/31/Cr.No.07/2025/HYD, Narcotics Control Bureau, Hyderabad Zonal Unit, registered for the offence punishable under Sections 8(c) read with 20(b)(ii)(A), 22(b), 22(c), 28 and 29 of the NDPS Act.

2. The brief facts of the case are that on 28.10.2025 the NCB officials received specific information that one Solomon Parag Jain, who is the petitioner herein, was in possession of narcotic substances at his residence situated at Flat No.501, Block-C, Z Home Apartments, Sriram Nagar, Kondapur, Hyderabad. The said information was reduced into writing and submitted to the superior officer, pursuant to which a search was conducted in the presence of independent witnesses, during which the accused was found in possession of about 10.32 grams of dark-brown substance suspected to be Charas/Hashish, 2.47 grams of sand-yellow crystalline substance suspected to be MDMA, and 0.57 grams of white sheet consisting of 25 LSD blot pieces. The contraband was seized and the accused was served notice under Section 67 of the NDPS Act, following which he gave a voluntary statement admitting procurement and possession of the said substances, and was arrested on 29.10.2025. Now, the petitioner filed the present Criminal Petition for grant of regular bail.

3. Heard Sri Mohd. Muzaffer Ullah Khan, learned counsel appearing on behalf of the petitioner and Sri Naraparaju Avaneesh, learned Standing Counsel appearing on behalf of the respondent.

4. Learned counsel for the petitioner contended that the petitioner has no connection whatsoever with the alleged contraband, nor was he involved in transporting or selling the same. It is further contended that the petitioner is an Electronic Engineer, having completed his Bachelor of Engineering from a reputed college, and is employed as a Senior Consultant in an IT company, presently working with Deloitte. He further contended that the petitioner's father is suffering from heart disease and has been advised to undergo surgery. Since the petitioner is in judicial custody, there is no one to look after his father, resulting in delay of the required medical treatment. It is contended that the petitioner has been falsely implicated in the present case on the basis of a fabricated confession and baseless allegations. Learned counsel also contended that the alleged recovery of 10.32 grams of Hashish and 2.47 grams of MDMA is far below the notified commercial quantity. Though the alleged seizure of 0.57 grams of LSD (Lysergic Acid Diethylamide) is stated to fall under commercial quantity, thereby attracting the rigors of Section 37 of the NDPS Act, the mandatory procedure prescribed under Section 52-A of the NDPS Act has not been complied with. Such non-compliance goes to the root of the prosecution case and prima facie indicates that the petitioner has not committed the alleged

offence. It is further submitted that the police have also failed to comply with the mandatory procedure under Section 50 of the NDPS Act. Though the petitioner was remanded on 29.10.2025, the authorities have not complied with Section 52-A of the NDPS Act till date, which clearly demonstrates blatant violation of the statutory procedure.

5. Learned counsel further contended that the alleged contraband is stated to have been recovered from the residential premises of the petitioner and not from his personal or physical possession. The prosecution has failed to prima facie establish that the petitioner was in exclusive and conscious possession of the said contraband. Mere recovery from the premises, without cogent material establishing possession and knowledge, is insufficient to attract the rigors of the NDPS Act. Further apart from the alleged fabricated and inadmissible confession, there is no material to show that the petitioner was involved in sale of contraband. The petitioner has been languishing in judicial custody for more than 102 days and charge sheet is not filed till today. Hence, prayed this Court to grant bail to the petitioner.

6. Learned Standing Counsel opposed bail contending that, during the search conducted at the residence of the

petitioner/accused, the officials seized 10.32 grams of Hashish (Charas), 2.47 grams of MDMA, and 25 LSD blot pieces weighing 0.57 gram, and accordingly registered the case under Sections 22(b) and 22(c) of the NDPS Act, 1985. He also submitted that while the quantity of MDMA is intermediate in nature, the recovered LSD quantity of 0.57 gram falls within commercial quantity, thereby attracting the rigor of Section 37 of the Act. Learned Standing counsel further contended that the petitioner has failed to satisfy the twin conditions required for grant of bail under Section 37. It is also submitted that the allegation of non-compliance with Sections 50 and 52-A of the Act is factually incorrect, as all mandatory procedures were duly followed, and the entire mixture/blot weight has to be considered for determining quantity. It is further contended that investigation is still in progress regarding the source of procurement, supply chain, and involvement of other co-conspirators, and release of petitioner at this stage would prejudice the investigation. It is also submitted that offences under the NDPS Act are grave in nature and have serious impact on society, particularly those involving psychotropic substances like MDMA and LSD. Hence, petitioner is not entitled to bail and prayed to dismiss this petition.

7. Having regard to the submissions made and the material placed on record, it is seen that petitioner is in jail from 28.10.2025 and till today charge sheet is not filed. Considering the allegations against the petitioner and the period of incarceration of petitioner in jail, 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 II-Additional Junior Civil Judge-cum-X-Additional Judicial Magistrate of First Class, R.R.District, at Kukatpally.
- 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.

8. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 21.04.2026

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