

**IN THE HIGH COURT FOR THE STATE OF TELANGANA AT
HYDERABAD**

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.5874 of 2026

DATE: 21.04.2026

Between:

Mr. Sabji Fazil Ahmed

.... Petitioner/accused

AND

The Air Intelligence Unit (AIU),
Office of the Deputy/Assistant Commissioner
Of Customs,
Rajiv Gandhi International Airport,
Shamshabad, Hyderabad.

.... Respondent/Complainant

ORDER:

This Criminal Petition is filed seeking the Court to enlarge the petitioner on bail, who is arrayed as accused in AirCus/49/Adjn/07/2026-AIU-A on the file of Air Customs, Rajiv Gandhi International Airport, Hyderabad, registered for the offences punishable under Sections 20, 23 and 29 of the NDPS Act, 1985.

2. The brief facts of the case are that the AIU, Rajiv Gandhi International Airport intercepted the petitioner herein on

06.03.2026, while he was crossing the green channel. Upon examination of his checked-in maroon coloured trolley bag, 06 vacuum sealed packets covered with black coloured cigarette packet covers were found allegedly containing a green coloured substance, which field-tested positive for Ganja/Marijuana. The net weight of the said substance is 2,000 grams (gross weight: 2,400 grams including packing material) and the same was seized and a case was registered against him for the above said offences.

3. Heard Sri V. Pramod Kumar, learned counsel appearing on behalf of the petitioner as well as Sri Dominic Fernandes, learned Senior standing counsel for CBIC appearing for the respondent.

4. Learned counsel for the petitioner submitted that the petitioner is innocent of the said allegations and he is falsely implicated in this case and he is in jail since 06.03.2026 and the seized contraband is 2 kgs of Ganja, which is an intermediate quantity and the material part of the investigation was already completed. 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 alleged offences are of the NDPS Act, as such, he is not entitled for the bail. However, he submitted that though the seized contraband is only 2 kgs of Ganja, which was brought by the petitioner from Malaysia and they have to investigate the case in that aspect. Further, the investigation is not yet completed. Therefore, he prayed the Court to dismiss the criminal petition.

6. In the light of the submissions made by both the learned counsel and upon perusal of the material available on record, it appears that the petitioner herein is in jail from 06.03.2026 and the seized contraband is 2 kgs of Ganja, which is an intermediate quantity. Considering the facts and circumstances of the case, the nature of the allegations, the stage of investigation, the duration of incarceration and the seized contraband, this Court finds it appropriate 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 Air Customs,
Rajiv Gandhi International Airport,
Hyderabad.

- ii. The petitioner shall appear before the respondent authority at 11:00 a.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 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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