

IN THE HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.7794 of 2026

DATE: 09.06.2026

BETWEEN:

Pabitra Sarkar and another

.....petitioners/accused Nos.1 and 3

And

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

.....Respondent/complainant

ORDER

This Criminal Petition is filed praying this Court to enlarge the petitioners on bail who are arrayed as accused Nos.1 and 3 in Crime No.05 of 2026 before the Moinabad Police Station, Cyberabad Commissionerate, registered for the offence punishable under Sections 8c read with 20(b)(ii)(C) and Section 29 of NDPS Act.

2. The brief facts of the case are that on 03.01.2026, they were found in possession of 21.889 kilograms of dry ganja while travelling in a car, leading to their arrest and remand on 04.01.2026. The petitioners contend that they were falsely implicated and have no connection with the alleged offence. They remain in judicial custody, and their earlier bail applications were dismissed.

3. Heard Sri M. Amarnath, learned counsel appearing on behalf of the petitioners as well as Sri M. Ramachander Reddy, learned Additional Public Prosecutor appearing on behalf of the respondent – State.

4. Learned counsel for the petitioners submitted that the petitioners are innocent students with no criminal background and have been falsely implicated in the case and that the alleged contraband is only slightly above commercial quantity and continued incarceration would severely prejudice their studies and future. Therefore, he prayed the Court to grant bail to the petitioner by allowing this Criminal Petition.

5. Learned Additional Public Prosecutor opposes the bail, contending that the petitioners were found in conscious possession of a commercial quantity of ganja. It is submitted that the offence is grave in nature and falls under stringent provisions, thereby disentitling the petitioners from bail. The prosecution further argues that releasing the petitioners may hamper the ongoing investigation. Therefore, 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 noted that considering the facts and circumstances of the case and the incarceration period of the petitioners, this Court deems it fit to grant bail to the petitioners, subject to the following conditions:

- i. The petitioners shall execute a personal bond for a sum of Rs.25,000/- each (Rupees Twenty Five Thousand only) with two sureties for a like sum each to the satisfaction of the XII Additional Judicial Magistrate of First Class, at Rajendranagar.
- ii. The petitioners shall appear before the concerned SHO at 11:00 a.m., on every Monday for a period of eight (8) week or till filing of charge sheet, whichever is earlier, for the purpose of investigation, and thereafter, as and when required.
- iii. The petitioners shall abide by the conditions stipulated in Section 437(3) of Cr.P.C.(presently, Section 480(3) of the BNSS).

7. Accordingly, these Criminal petition are allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

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