

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT
HYDERABAD

THE HONOURABLE SMT. JUSTICE T.MADHAVI DEVI

CRIMINAL PETITION No.7814 of 2026

Date: 21.05.2026

BETWEEN:

Harshit Kumar and another

... Petitioners/Accused Nos.1 & 2

And

The State of Telangana

Rep., by its Public Prosecutor,

High Court Building, Hyderabad.

... Respondent/Complainant

ORDER

The petitioner-accused filed the present application under Sections 480 and 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, seeking to grant bail to them in C.O.R. No.25 of 2026 on the file of Prohibition and Excise Station, Khammam-I, registered for the offences punishable under Section 8(c) read with 20(b)(ii)(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

2. The brief facts of the case are that on 21.04.2026, the P&ESI, DTF, Khammam have seized the contraband as the accused persons are buying and selling the contraband i.e., 02 kg of dry ganja illegally to the general public in order to earn money in an

ease manner and also registered a case was registered against the accused persons.

3. Heard J.P.Srikanth, learned counsel appearing on behalf of the petitioners as well as Mr.Vivekananda Reddy, learned Assistant Public Prosecutor appearing on behalf of the respondent - State.

4. Learned counsel for the petitioners submit that the dry ganja of 02 kg was found from the petitioners and that the said quantity is within a permissible limits. Therefore, he prayed the Court to grant bail to the petitioners by allowing this Criminal Petition.

5. On the other hand, learned Additional Public Prosecutor opposed for grant of bail contending that since more than 1 kg of dry ganja is found to be in possession of the petitioners, the Police cannot issue a notice under Section 35(3) of the BNSS. Therefore, the petitioners are apprehended and that prayed the Court to dismiss the Criminal Petition.

6. In the light of the submissions made by both the learned counsel and on perusal of the material available on record, it appears that the investigation is yet to be completed. Further, the contraband quantity i.e., 02 kgs of dry ganja found with the petitioners is not a commercial quantity. Considering the facts and

circumstances of the case, this Court deems it fit to grant bail to the petitioners/accused Nos.1 and 2 subject to the following conditions:

- (i) The petitioners shall execute a personal bond for Rs.50,000/- (Rupees Fifty thousand only) with two sureties for a like sum each to the satisfaction of the Special Judicial First Class Magistrate for Prohibition and Excise Cases at Khammam.
- (ii) The petitioners shall abide by the other conditions stipulated in Section 480(3) of Bharatiya Nagarik Suraksha Sanhita, 2023 and co-operate with the Investigating Officer in investigating the case.
- (iii) The petitioners shall appear before the concerned Investigating Officer on every Monday between 09:00 a.m., and 05:00 p.m., for a period of eight (8) weeks or till the filing of the charge sheet, whichever is earlier and thereafter as and when required.

7. Accordingly, this Criminal Petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

JUSTICE T.MADHAVI DEVI

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