

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

THE HONOURABLE SMT. JUSTICE T. MADHAVI DEVI

CRIMINAL PETITION No.7861 of 2026

DATE: 21.05.2026

BETWEEN:

Kudumuri Bharath Kumar

.....Petitioner/Accused No.2

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 petitioner on bail who is arrayed as accused No.2 in Crime No.22 of 2026 on the file of Saroornagar Police Station, Rachakonda Commissionerate, registered for the offence punishable under Sections 8c read with 20(b)(ii)(B) of NDPS Act, 1985.

2. The brief facts of the case are that on receipt of credible information, the officials of P.S. Prohibition and Excise, Saroornagar, intercepted petitioner/A-2 and A-1 while they were travelling on a KTM

Duke motorcycle bearing No.TS 04 FK 1950 near Patel Tiles Town Shop road from Bairamalguda to Chinthalkunta. During the search, the officials found a black colour bag containing suspected ganja weighing about 1.054 kilograms. The contraband, motorcycle and mobile phones were seized under the cover of panchanama. Thereafter, a case in Crime No.22 of 2026 was registered for the offence punishable under Section 8 read with Section 20(b)(ii)(B) of the NDPS Act, and the petitioner was remanded to judicial custody on 20.04.2026.

3. Heard Sri R. Raj Kumar, learned counsel appearing on behalf of the petitioner as well as Sri M. Vivekananda Reddy, learned Assistant Public Prosecutor appearing on behalf of the Respondent – State.

4. Learned counsel for the petitioner submitted that the mandatory provisions under Sections 41(2), 42 and 57 of the NDPS Act were not complied with by the seizing officials and therefore the alleged search and seizure are illegal and that the alleged contraband falls under non-commercial quantity and hence the rigour under Section 37 of the NDPS Act is not attracted. The learned counsel further submitted that the petitioner was falsely implicated and was never in possession of the contraband. He further submitted that the petitioner is in jail since 20.04.2026. Therefore, he prayed the Court to grant bail to the petitioner by allowing this Criminal Petition.

5. On the other hand, learned Assistant Public Prosecutor opposed the bail application contending that the petitioner was caught red-handed along with A-1 while allegedly transporting ganja for sale and that during the search, contraband weighing 1.054 kilograms was recovered from the possession of the accused and the same was seized under a duly conducted panchanama. 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, since the seized contraband is of intermediate quantity, the petitioner has been languishing in jail since 20.04.2026, and the material part of the investigation has already been completed, 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.50,000/- (Rupees Fifty Thousand only), with two sureties for a like sum each to the satisfaction of the learned I Additional District and Sessions Judge, Ranga Reddy District at L.B. Nagar.
- ii. The petitioner shall appear before the concerned SHO at 11:00 a.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 437(3) of Cr.P.C. (presently, Section 480(3) of the BNSS).
- iv. The petitioner shall deposit his passport before the concerned trial Court.

7. Accordingly, the Criminal petition is allowed.

Miscellaneous applications, if any, pending in this petition, shall stand closed.

JUSTICE T. MADHAVI DEVI

Date: 21.05.2026
SAI/DA