

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

THE HONOURABLE SRI JUSTICE S. CHALAPATHI RAO

CRIMINAL PETITION No.8078 of 2026

DATE: 04.06.2026

BETWEEN:

Metri Chaithanya and another

...Petitioners/Accused Nos.1 and 2

AND

The State of Telangana,
Rep by its public prosecutor,
High Court for the State of Telangana,
at Hyderabad.

...Respondent

ORDER

This Criminal Petition is filed under Sections 480 and 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') seeking grant of bail to the petitioners, who are arrayed as accused Nos.1 and 2 in Crime No.138 of 2026 of Bahadurpura Police Station, registered for the offences punishable under Sections 8(c) read with 20(b)(ii)(B), 27(b) and 29 of Narcotic Drugs and Psychotropic Substances (NDPS) Act, 1985 (for short 'NDPS').

2. The brief facts of the case are that, on 04.05.2026 at about 1245 hours the Sub-Inspect of Police received reliable information

that two persons having beard is coming near Kishan Bagh Park for selling prohibited Narcotic Drug Ganja to consumers between 09.30 hours to 10.00 hours on Black Colour Activa and believing the said information, he along with this staff rushed to the said spot and detected a two wheeler and found the accused persons in illegal transportation and sale of Ganja and arrested the accused persons and seized 1.5 kgs Dry Ganja. Hence, he requested to take necessary action.

3. Thus, basing on the complaint, the police authorities have registered the present case under Sections 8(c) read with 20(b)(ii)(B), 27(b) and 29 of Narcotic Drugs and Psychotropic Substances (NDPS) Act, 1985 (for short 'NDPS'), arrested the petitioners/accused on 04.05.2026, and remanded them to judicial custody, and since then, they are languishing in the judicial custody.

4. Heard Mr. Mohammed Islam, learned counsel for the petitioners and learned Public Prosecutor appearing on behalf of the respondent – State.

5. Learned counsel for the petitioners submitted that they have been falsely implicated in the case. He also submits that the petitioners are willing and ready to cooperate with the

investigation and also ready to abide by the conditions, which are going to be imposed by this Court. Hence, learned counsel prays this Court to allow the Criminal Petition by granting bail to the petitioners.

6. Per contra, learned Additional Public Prosecutor contended that the petitioners/accused Nos.1 and 2 committed grave offence under the provisions of NDPS Act. Further, he submits that earlier one case is registered against the petitioner/accused No.1 and four cases are registered against the petitioner/accused No.2, however, the said cases are registered for different offences under BNS Act, 2023. Hence, he prays this Court to dismiss the Criminal Petition.

7. Admittedly, the contraband of Ganja is to an extent of 1.5 kg, which is admittedly far below the commercial quantity, the twin conditions of Section 37 of NDPS Act not attracted. Further, the petitioners have been arrested on 04.05.2026 and since then they are languishing in the judicial custody.

8. Having regard to the facts and circumstances of the case, it is fit case to enlarge the petitioners on bail by imposing following conditions.

- 1) The petitioners/accused Nos.1 and 2 shall execute a personal bond for Rs.10,000/- (Rupees Ten thousand only) each with two sureties for a like sum each to the satisfaction of the learned Judicial Magistrate of First Class, Excise Cases, at Gandhi Bhavan, Hyderabad.
 - 2) The petitioners shall appear before the concerned Investigating Officer on every Sunday between 09:00 a.m., and 05:00 p.m., for a period of eight (6) weeks or till the filing of the charge sheet, whichever is earlier and thereafter as and when required.
 - 3) After release, if the petitioners/accused Nos.1 and 2 indulges in similar offence, the respondent-State is at liberty to file an application seeking cancellation of the bail granted to him by this Court.
 - 4) 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.
9. Accordingly, this Criminal Petition is allowed.

Miscellaneous applications, if any pending, shall also stand closed.

JUSTICE S. CHALAPATHI RAO

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