

IN THE HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.8815 OF 2026

DATE : 24.06.2026

Between :

Aseem Sharief

... Petitioner/A.14

And

The State of Telangana

... Respondent

: ORDER :

This Criminal Petition is filed under Section 480 & 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 by the petitioner praying this Court to enlarge him on bail who is arrayed as accused No.14 in Crime No.1 of 2026 of Cyberabad Narcotics, Eagle Force Unit. The offences alleged against the petitioner are under Sections 8(c) r/w.20(b) (ii) (C), 23(c), 27A and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act') and under Sections 111(2)(b), 111(3), 111(4) and 336(3) of Bharatiya Nyaya Sanhita, 2023.

2. The brief facts of the case are that on 07.04.2026 at about 6:00 PM, upon receiving credible information from Customs officials at Rajiv Gandhi International Airport, Shamshabad, that one international passenger was intercepted with suspected Hydroponic Ganja consisting of 12.739 kgs and that his associate Harshad, along with another accused Sandeep, was carrying similar contraband and intending to travel to Mumbai from BHEL Junction, Ramachandrapuram, the information was recorded in the General Diary and communicated to the superior officer in compliance with Section 42(2) of the NDPS Act. Thereafter, the police team proceeded to the spot, apprehended the accused persons, and recorded their confessional statements. Hence, a case was registered against the accused for the above offences.

3. Heard Sri Suresh Singh, learned counsel appearing for the petitioner and Sri D.Arun Kumar, learned Additional Public Prosecutor appearing for the respondent-State.

4. The contention of learned counsel for the petitioner is that petitioner herein is A.14 and he is innocent and has been falsely implicated in the present case, having no connection whatsoever with the alleged offence. The allegation against him is that he

is involved in Narcotic drugs and the seized contraband is 12.739 grams of Hydroponic Ganja, which is an intermediate quantity. The investigation has substantially been completed, material witnesses have already been examined, and only the FSL report and filing of the charge sheet remained. Petitioner has been in judicial custody since 19.04.2026 and he is the sole bread winner of his family, consisting of three minor children and aged parents who are dependent upon him. The learned counsel further submitted that petitioner is ready to abide by any conditions that may be imposed by this Court and prayed to grant bail to him by allowing this criminal petition.

5. On the other hand, the learned Additional Public Prosecutor opposed grant of bail, contending that Hydroponic Ganja is significantly more valuable than ordinary Ganja. In support of his submissions, reliance was placed on the judgments of the Rajasthan High Court in S.B. Criminal Miscellaneous Bail Application Nos.13353 of 2025 and 8926 of 2025, wherein bail was denied, taking note of the higher potency and value of Hydroponic Ganja as compared to ordinary Ganja. As such petitioner is not entitled to bail and prayed to dismiss this petition.

6. Having regard to the submissions made by the learned counsel for the petitioner and the learned Additional Public Prosecutor, as well as the material placed on record, admittedly, the seized contraband is Hydroponic Ganja and in the schedule there is no specific mention about the said Ganja. Therefore, for the purpose of quantity determination, it would have to be treated on par with Ganja. As per the prescribed limits, only possession of Ganja in excess of 20 kilograms would constitute a commercial quantity. In the absence of any specific statutory provision or notification treating Hydroponic Ganja differently or prescribing a separate threshold for commercial quantity, the contention that the seized contraband should be treated as commercial quantity solely on the ground that it is Hydroponic Ganja cannot, at this stage, be accepted. However, as material part of investigation is completed, this Court deems it fit to grant regular 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 Special Judicial First Class Magistrate-cum-V-Additional Junior Civil Judge-cum-V Additional Judicial Magistrate at L.B.Nagar, Ranga Reddy.

- ii. The petitioner shall appear before the concerned SHO between 09.00 a.m and 5.00 p.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 483(2) of the BNSS.

7. Accordingly, the Criminal Petition is allowed.

Miscellaneous petitions, if any, pending shall stand closed.

Date :24.06.2026
Rds

K. SUJANA, J

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