

IN THE HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.8817 OF 2026

DATE : 24.06.2026

Between :

Dev Kishan Soni @ Dev Soni @ Dev

... Petitioner/A.3

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.3 in Crime No.09 of 2025 of Cyberabad Narcotics, EAGLE Force, Cyberabad. The offences alleged against the petitioner are under Sections 8(c) r/w.22(c), 20(b) (ii) (A) and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act').

2. The facts of the case, as per the prosecution, are that on 24.09.2025 at about 1:15 PM, the Inspector of Police, apprehended Accused Nos.1 and 2 near the vegetable market at Bharath Nagar Flyover, Hyderabad, and allegedly seized 10.18 grams of MDMA, 52.67 grams of Hydroponic Ganja, a weighing machine, and two mobile phones from their possession. Based on the alleged confessional statements of A.1 and A.2, the petitioner (A.3) was subsequently implicated in the case on the allegation that he had purchased Hydroponic Ganja in Surat and sent 52 grams of the same to A.1 through a courier service during the third week of September, 2025. Hence, the present crime is registered against the accused for the above offences.

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

4. The learned counsel for the petitioner contended that the petitioner is Accused No.3 and the allegation against him is that Accused Nos.2 to 5 allegedly conspired to earn easy money by selling narcotic drugs in Hyderabad. It is alleged that the petitioner, while residing at Surat, Gujarat, developed contacts with a supplier of Hydroponic Ganja and procured the

contraband at lower prices for onward sale at higher prices through Accused Nos.1 and 2. According to the prosecution, during September, 2025, the petitioner purchased 56 grams of Hydroponic Ganja from one Akash Chowdary and sent 52 grams to one Abhishek Singh through Tirupati Courier Services. The learned counsel submitted that no contraband was recovered from the possession of the petitioner and that the alleged seizure was effected only from Accused Nos.1 and 2. It was further contended that, although the remand report describes the petitioner as a habitual offender, the earlier case referred to therein pertains to the seizure of seven boxes of Hash Oil, in which the petitioner has already been granted bail. Hence, prayed this Court to enlarge the petitioner on regular bail.

5. On the other hand, the learned Additional Public Prosecutor opposed the grant of bail, contending that Hydroponic Ganja is significantly more valuable than ordinary Ganja. It was further submitted that the case involves the seizure of 10.18 grams of MDMA, which constitutes a commercial quantity under the provisions of the NDPS Act. The learned Additional Public Prosecutor also submitted that the petitioner is involved in another criminal case. 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. Considering the submissions made by both the counsel and the material on record, the petitioner is in jail from 01.05.2026. Even according to the prosecution, the petitioner is involved in purchasing and selling of Hydroponic Ganja and there is no allegation against him that he is also involved in purchase or sale of MDMA. Further the contraband seized i.e., 10.18 grams of MDMA and 52.67 grams of Hydroponic Ganja was from A.1 and A.2 and the Hydroponic Ganja is a small quantity. Considering the same, 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 at L.B.Nagar.

- 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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