

IN THE HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.9442 OF 2026

DATE : 03.07.2026

Between :

Sabar Israel

... Petitioner/A.3

And

The State of Telangana & another

... Respondents/Complainant

: ORDER :

This Criminal Petition is filed praying this Court to enlarge the petitioner on bail who was arrayed as accused No.3 in connection with Crime No.09 of 2026 of Prohibition and Excise Station, Dhoolpet, Hyderabad. The offences alleged against the petitioner are under Sections 8(c) r/w.20(b)(ii)(C) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act').

2. The brief facts of the case are that, on 31.01.2026, acting on credible information, the Sub-Inspector of Prohibition and Excise, Dhoolpet, along with his staff, conducted a raid at a

house in Rahimpura, Hyderabad, where five persons, including the petitioner were found present. During the search, the officials allegedly seized 30.15 kg of dry ganja, mobile phones, and certain vehicles. According to the prosecution, the accused were part of a conspiracy to procure, store, and sell ganja, with the petitioner allegedly assisting in the sale of ganja sachets to local consumers. Based on the seizure and the statements of the co-accused, a case was registered, the accused were arrested, and remanded to judicial custody.

3. Heard Sri Mandeep Pamaar Angoth, 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 the petitioner has been falsely implicated in the present case and that the prosecution case rests solely on the inadmissible confessional statements of the co-accused, without any independent corroborative evidence or recovery of contraband from his possession. He further submitted that the remand report and investigation records do not disclose any specific overt act or role attributable to the petitioner, nor do they establish his conscious possession, transportation, sale, or

involvement in the alleged contraband. Learned counsel further contended that the prosecution has improperly invoked the provisions relating to commercial quantity without establishing that the seized substance satisfies the statutory definition of "ganja" under the NDPS Act or complying with the mandatory provisions relating to seizure, sampling, and investigation. It is also contended that the petitioner has no criminal antecedents and has been implicated merely on the basis of his alleged association with the co-accused, which is insufficient to establish criminal conspiracy. Learned counsel submitted that the rigors of Section 37 of the NDPS Act are not attracted in the absence of any recovery or legally admissible material against the petitioner. The petitioner is in judicial custody since 31.01.2026 and till now charge sheet is not filed. Hence, prayed this Court to grant bail to the petitioner.

5. On the other hand, learned Additional Public Prosecutor opposed for grant of bail contending that the contraband seized is a huge commercial quantity of 30.15 kgs of ganja as such, in view of rigor of Section 37 of NDPS Act, petitioner is not entitled to bail. He also contended that charge sheet is not yet filed and no other cases are pending against him. Hence, prayed to dismiss this criminal petition.

6. Having regard to the submissions made and the material placed on record, it is seen that petitioner is in jail for more than five months and till today charge sheet is not filed. Considering the period of incarceration of petitioner in jail and the facts and circumstances, 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.25,000/- (Rupees Twenty Five Thousand only) with two sureties for a like sum each to the satisfaction of the I-Additional Sessions Judge, Hyderabad.
- 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.

K. SUJANA, J

Date : 03.07.2026
Rds

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