

IN THE HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.13713 of 2025

DATE: 07.01.2026

BETWEEN:

Abhishek Kumar Singh

..... Petitioner/Accused No.1

And

The State of Telangana,
Rep. by Public Prosecutor,
High Court of Hyderabad.

.....Respondent/Complainant

ORDER

This Criminal Petition is filed seeking this Court to enlarge the petitioner on bail who is arrayed as accused No.1 in Crime No.09 of 2025 before the Cyberabad Narcotics Police Station, TGANB, registered for the offences punishable under Sections 8(c) read with 22(c), 20(b)(ii)(A) and 29 of NDPS Act.

2. The brief facts of the case are that the petitioner and another individual were apprehended by the Cyberabad Narcotic PS on 24.09.2025, with 10.18 grams of MDMA and 52.67 grams of Hydroponic Ganja. The petitioner claimed he was falsely implicated and had no knowledge of the narcotic substance.

3. Heard Sri R. Prasanth, learned counsel appearing on behalf of the petitioner as well as Sri D. Arun Kumar, learned Additional Public Prosecutor appearing on behalf of the respondent – State.

4. Learned counsel for the petitioner submitted that the petitioner has been falsely implicated in the case and the mandatory provisions of the NDPS Act were not complied with, and that the contraband alleged to have been seized was kept in ziplock covers, with the weight of the covers included in the total weight of the contraband. There is no specific information in the seizure report as to whether the weight of the ziplock covers was excluded while calculating the contraband. Therefore, the alleged contraband may be considered as an intermediate quantity, since the seized substance is slightly above the threshold of commercial

quantity, i.e., 10.18 grams of MDMA. Hence, Section 37 of the NDPS Act is not applicable to the present case and prayed the Court to grant bail to the petitioner by allowing this Criminal Petition.

5. On the other hand, learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioner stating that the contraband was weighed without including the ziplock covers. He further submitted that the investigation is still in progress and that if the petitioner is released on bail at this stage, he may tamper with the evidence and threaten the witnesses. However, he informed that there is no specific information in the seizure report regarding whether the weight of the ziplock covers was excluded while calculating the contraband.

6. In the light of the submissions made by both the learned counsel and a perusal of the material available on record, it appears that the petitioner has been in judicial custody since 25.09.2025. From the record, it is evident that the material part of the investigation has been completed and L.Ws.1 to 11 have been examined. It is further observed that there is no specific information regarding the weight of the

ziplock covers and whether the contraband was measured after excluding the same. Considering the facts and circumstances of the case and the period of incarceration of the petitioner, 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 learned I Additional District and Sessions Judge, Medchal-Malkajgiri District at Kushaiguda.
- ii. The petitioner shall appear before the concerned SHO at 11:00 a.m., on every Monday for a period of eight (8) week 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).

7. Accordingly, the Criminal petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 07.01.2026
SS

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