IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THE HON'BLE JUSTICE B.R.MADHUSUDHAN RAO

CRIMINAL PETITION No. 15570 of 2026

(C.N.R No. HBHC010640512026)

DATED: 07.10.2026

Between:
Sagar Sivaji Mastud
@ Dadu Shet Barshi. ... Petitioner – A3

And

The State of Telangana,
Rep. by Public Prosecutor,
High Court for the State of Telangana
Hyderabad through PS
Aswapuram, Bhadradri-
Kothagudem. ... Respondent-State

O R D E R

1. This Criminal Petition is filed under Sections 480 and 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) praying this Court to enlarge the petitioner- A3 on bail in connection with Crime No.37 of 2024 of Aswapuram Police Station, Bhadradri-Kothagudem District. The offences alleged against the petitioner-A3 are punishable under Section 8 (c) read with 20 (b)(ii) (C), 27, 29 of the NDPS Act, 1985.

2. Heard Smt. Indira, learned counsel for the petitioner – A3 and Sri D. Arun Kumar, learned Additional Public Prosecutor, appearing for respondent - State.

3. Learned counsel for the petitioner submits that the alleged occurrence took place on 18.03.2024, whereas the petitioner-A3 is arrested on 02.04.2026 i.e., after more than two years of the alleged occurrence, the considerable delay in arrest is a relevant circumstance while considering the necessity of his continued detention. The case of the prosecution is that police has apprehended A1 and A2 while allegedly transporting contraband in Maruthi Suzuki Dzire Car and they recovered 138 kgs., of dry ganja. Petitioner-A3 was not present at the place of seizure and was not apprehended along with A1 and A2. It is alleged that petitioner-A3 has given Rs 1,10,000/- to A1 and A2 for payment to the alleged supplier. Police has filed charge sheet against A1 and A2 on 09.09.2024 and the same is numbered as SC NDPS No.123 by 2024 much prior to the arrest of the petitioner-A3 and prayed to enlarge the petitioner-A3 on bail.

4. Learned Additional Public Prosecutor submits that charge sheet came to be filed against A1 and A2 in which A3 was shown as absconding. The role played by the petitioner-A3 is clearly depicted in the remand case diary.

5. B. Suresh, Sub-Inspector of Police has lodged a report before PS Aswapuram on 18.03.2024. It is stated in the report that when he along with his staff were conducting vehicle check on R&B road from Manuguru to Kothagudam, they apprehended A1 and A2

while they were transporting Ganja in Suzuki Dzire Car bearing No.MH 10 CX 8193 and they seized 138 kgs., of Ganja in the presence of mediators. On questioning A1 and A2 they stated that A3 came to purchase Ganja along with them. Basing on the said complaint, FIR came to be registered.

6. Police has already filed charge sheet against A1 and A2 which is numbered as SC NDPS No.123 of 2024. Learned counsel for the petitioner-A3 on instruction submits that A1 and A2 were already enlarged on bail in the year 2024 itself. Petitioner-A3 is arrested on 02.04.2026 and produced before the concerned Magistrate for remand, since then he is in judicial custody. A4-Sukru is shown as absconding.

7. Remand case diary goes to show that respondent has altogether examined 15 witnesses in support of the prosecution case.

8. A1 and A2 were arrested on 18.03.2024 along with contraband of 138 kgs., of dry Ganja. Petitioner-A3 is arrested on 02.04.2026 after a period of 2 years.

9. Remand case diary goes to show that petitioner-A3 has confessed that he gave an amount of Rs.1,10,000/- to Rajaram Jadav and instructed him to collect Ganja from Sukru and later he returned to Yadashi and he came to know that police has

apprehended Rajaram Jadav and Vishal Hegde while they were transporting Ganja in the car.

10. Since recovery is from A1 and A2, the arrest of the petitioner-A3 has taken place after 2 years of the incident and it appears from the record that a supplementary charge sheet has to be filed against the petitioner-A3, petitioner-A3 has made out a case for grant of bail subject to following conditions:

> i) The petitioner-A3 shall execute a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two local sureties for a like sum each to the satisfaction of I Additional District and Sessions Judge, Badradri-Kothagudem, Kothagudem.
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> ii) The petitioner-A3 shall appear before the concerned SHO between 10:00 a.m. and 5:00 p.m., on every Sunday 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.
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> iii) The petitioner-A3 shall abide by the conditions stipulated in Section 437(3) of Cr.P.C. (presently, Section 480(3) of the BNSS).
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> iv) The petitioner-A3 shall not directly or indirectly influence, threaten, or induce any of the prosecution witnesses.
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> v) In the event of violation of any of the above conditions, the prosecution is at liberty to file an application for cancellation of bail.

11. Accordingly, this Criminal Petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

B.R.MADHUSUDHAN RAO, J

Date: 07.10.2026.
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