IN THE HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

THE HON'BLE SRI JUSTICE B.R.MADHUSUDHAN RAO

CRIMINAL PETITION No.15829 of 2026

CNR.No. HBHC010644072026

DATE: 05.10.2026

BETWEEN:

1.Ajay @ Ajay Saini

2.Ujjawal @ Ujjwal Saini … Petitioners-A1 and A2

And

The State of Telangana,
Though PS, Bhadrachalam Town,
Represented by Public Prosecutor,
High Court for the State of Telangana,
At Hyderabad … Respondent - Complainant

ORDER

1. This memorandum of Criminal Petition is filed under Sections 480 and 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) praying this Court to enlarge the petitioners - A1 and A2 on bail in connection with Crime No.233 of 2026 of Bhadrachalam Town PS, Bhadradri Kothagudem District. The offences alleged against the petitioners – A1 and A2 are under Section 8(c) r/w Section 20(b)(ii)(B), 29 of NDPS Act, 1985.

2. Heard Sri B.Muralidhar, learned counsel for the petitioners - A1 and A2 and Sri D.Arun Kumar learned Additional Public Prosecutor appearing for the respondent – Complainant.

3. Learned counsel for the petitioners submits that on the face of the remand report the search and seizure procedure is not properly followed and except stating that they have seized stock in the presence of panchas contrary to Section 42 of NDPS Act. Petitioners – A1 and A2 are eking out their livelihood by doing labour work and except that they have got no other source of income and the contra band [ganja] which is seized is 18.830 kgs which is less than commercial quantity, they are in remand since 23.08.2026 and prayed to enlarge the petitioners – A1 and A2 on bail.

4. Learned Additional Public Prosecutor submits that the role played by the petitioners – A1 and A2 is depicted in the remand case diary and prayed to dismiss the petition.

5. V.Sateesh, Sub Inspector of Police, Bhadrachalam, has lodged a report before PS Badrachalam Town on 23.08.2026 at 20.15 hours. It is stated in the complaint that he and his staff apprehended A1 and A2 while they are transporting ganja and they have seized 18.830 kgs in the presence of mediators and

interrogated them, they have confessed about the commission of offence and also confessed that A3 is supplying the ganja. Basing on the said complaint FIR came to be registered.

6. Petitioners – A1 and A2 were arrested and remanded to the judicial custody on 23.08.2026 since then they are in jail.

7. A3-Mohammad Ashraf Qureshi [supplier] and A4 – Sateesh [receiver] are shown as absconding in the remand case diary of the petitioners – A1 and A2. Remand case diary goes to show that respondent has altogether examined 12 witnesses in support of the case and furthermore the ganja which is seized falls within the intermediate quantity.

8. This Court is conscious of the fact that the petitioners – A1 and A2 are from Uttar Pradesh State, if stringent conditions are imposed while granting bail will meet the ends of justice. Therefore, the petitioners – A1 and A2 are entitled to be enlarged on bail subject to the following conditions:

i. The petitioners – A1 and A2 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 the learned Judicial First Class Magistrate, Bhadrachalam.
ii. The petitioners – A1 and A2 shall appear before the concerned SHO between 10.00 a.m. to 05.00 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.

iii. The petitioners – A1 and A2 shall abide by the conditions stipulated in Section 437(3) of Cr.P.C. (presently, Section 480(3) of the BNSS).

iv. The petitioners – A1 and A2 shall not directly or indirectly influence, threaten, or induce any of the prosecution witnesses.

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.

9. Accordingly, this Criminal Petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

B.R.MADHUSUDHAN RAO, J

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