IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

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

CRIMINAL PETITION No.15953 of 2026

CNR.No. HBHC010669732026

DATE: 12.10.2026

BETWEEN:

Bontha Prakash

.....Petitioner-Accused No.1

And

The State of Telangana,
Through S.H.O Saroornagar Police Station, Hyderabad,
Rep. by its Public Prosecutor,
High Court at Hyderabad.

.....Respondent-Complainant

ORDER

1. This Criminal Petition is filed under Sections 480 & 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') praying this Court to enlarge the petitioner-A1 on bail in connection with Crime No.596 of 2026 of Saroornagar Police Station, Malkajgiri District, registered for the offence punishable under Section 8(c) read with Section 20(b)(ii)(c) of the NDPS Act, 1985.

2. Heard Sri Palle Sriharinath, learned counsel for the petitioner-A1 and Sri D. Arun Kumar, learned Additional Public Prosecutor appearing for the respondent–State.

3. Learned counsel for the petitioner submits that the petitioner was previously arrayed as an accused in two other cases relating to offences under the NDPS Act. However, the said cases cannot be treated as proof of his guilt in the present case. No samples were drawn at the spot or in the presence of the Magistrate, as required under Section 52-A of the NDPS Act, 1985. The petitioner-A1 is innocent and has not committed any offence as alleged by the prosecution. The respondent police has completed the investigation and recorded the statements of all the witnesses, except filing the charge sheet. The petitioner-A1 has been in judicial custody since 11.06.2026, prayed to enlarge the petitioner-A1 on bail.

4. Learned Additional Public Prosecutor submits that the inventory is completed on 18.07.2026 and L.Ws.1 to 10 have been examined.

5. Based on the complaint lodged by L.W.1, Sri S. Lakshaman, Sub-Inspector of Police, an FIR came to be registered for the offences punishable under the NDPS Act.

6. Petitioner-A1 and accused No.2-Papani Ravi were arrested on 11.06.2026 at 23:00 hours and produced before the jurisdictional Magistrate on 12.06.2026, on the same day. they were remanded to judicial custody.

7. Remand case diary reveals that accused No.3-Babu Rao and accused No.4-Javeed are absconding. Internal page No.6 of the remand case diary states that the petitioner-A1 and accused No.2-Papani Ravi were found in possession of 22.29 kilograms of ganja, which was seized by L.W.1 under the cover of a confession-cum-seizure panchanama in the presence of mediators.

8. Petitioner-A1 filed Crl.P.No.12336 of 2026 before this Court seeking regular bail. The said petition was dismissed vide order dated 17.08.2026, with an observation that the petitioner was involved in four other crimes.

9. The changed circumstances in the case is that the petitioner is acquitted in Crime No.221 of 2019 of Nalgonda II Town Police Station on 29.09.2025 and in Crime No. 77 of 2025 of Kachiguda Police Station. Petitioner-A1 is enlarged on bail in C.O.R. No.100 of 2020 of Uppal Prohibition and Excise Station. Crime No.9 of 2022 of Nalgonda Police Station, pertains to the year 2022.

10. The contraband involved in the present case is 22.29 kilograms of ganja. The respondent police has altogether examined L.Ws.1 to 10, and the inventory is completed on 18.07.2026.

11. Record goes has to show that major portion of the investigation is completed, detaining the petitioner-A1 further in judicial custody will not serve the purpose. Hence, petitioner-A1 is entitled to be enlarged on bail, subject to the following conditions:

i. The petitioner-A1 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 Magistrate of First Class (Excise)-cum-V Additional .M.M.J.Ranga Reddy at L.B.Nagar.

ii. The petitioner-A1 shall appear before the concerned SHO between 10 a.m. to 5 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 petitioner-A1 shall abide by the conditions stipulated in Section 437(3) of Cr.P.C.(presently, Section 480(3) of the BNSS).

iv. The petitioner-A1 shall not directly or indirectly influence, threaten, or induce any of the prosecution witnesses.

v. Petitioner-A1 shall not involve in any similar offences.

vi. It is made clear that if any of the conditions imposed by this Court are violated, the prosecution is at liberty to file an application for cancellation of the bail.

12. Accordingly, the Criminal petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

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B.R.MADHUSUDHAN RAO, J

Date: 12.10.2026
ssm

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

CRIMINAL PETITION No.11279 of 2026

Date: 25.08.2026

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