IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
THE HON'BLE JUSTICE B.R.MADHUSUDHAN RAO
CRIMINAL PETITION No.16882 of 2026
(C.N.R No.HBHC010710282026)
DATED: 26.10.2026

Between:

Sebastika Bibar. ...Petitioner- Accused

And

The State of Telanggana
Through SHO, Proh.&Excise
Station, Khammam II,
Rep.by Public Prosecutor,
High Court for the State of
Telangana, Hyderabad.

...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 – accused on bail in connection with C.O.R.No.35 of 2026 of Prohibition and Excise Station, Khammam-II, Khammam District. The offence alleged against the petitioner – accused is punishable under Section 8 (c) read with 20 (b) (ii) (C) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, NDPS Act').

2. Heard Sri B.Muralidhar, learned counsel for petitioner and Sri D. Arun Kumar, learned Additional Public Prosecutor, appearing for respondent – State.

3. Learned counsel for the petitioner submits that the petitioner-accused is a Cook and eking out his livelihood by doing cooking and except that he has got no other source of income and his entire family is depending on the income of the petitioner-accused. Petitioner-accused is a permanent resident of Rayagada District, Odisha State, and he hails from middle class family without any questionable antecedents whatsoever in nature. Earlier bail petition filed by the petitioner-accused came to be dismissed on 09.09.2026, the change of circumstance is that inventory is completed and FSL report is received and filing of the charge sheet is left over. Petitioner-accused is in judicial custody since 10.06.2026 and prayed to enlarge the petitioner – accused on bail.

4. Learned Additional Public Prosecutor submits that FSL report is received and the charge sheet has to be filed.

5. On perusal of Crime Occurrence Report, dated 10.06.2026, the petitioner – accused is arrested on the above said date and he is produced before the concerned Magistrate for remand. The seized property is 22.450 Kgs., of dry ganja which is kept in a white plastic bag. Crime Occurrence Report goes to show that LWs.1 and 2 are only examined.

6. Petitioner- accused has filed bail petition vide Crl.M.P. No.872 of 2026 before the learned Sessions Judge, which came to be dismissed vide order dated 19.08.2026, holding that "having regard to the gravity of the offence, seized contraband is a commercial quantity; and that investigation is still pending, the petitioner - accused is not entitled for grant of to bail".

7. Petitioner-accused has filed Crl.P.No.14004 of 2026 for grant of regular bail, the same came to be dismissed vide order dated 09.09.2026 observing that only two witnesses are examined.

8. The change of circumstance is that FSL report is already received and filing of the charge sheet is left over.

9. This Court is conscious of the fact that the petitioner-accused is from Odisha State, if stringent conditions are imposed while enlarging him on bail will meet the ends of justice. Hence, petitioner-accused is entitled to be enlarged on bail, subject to the following conditions:

i. The petitioner-accused shall execute a personal bond for a sum of Rs.15,000/- (Rupees Fifteen Thousand only), with two local sureties for a like sum each to

the satisfaction of the learned Special Judicial Magistrate of First Class (For Prohibition and Excise Cases), at Khammam.

ii. The petitioner-accused 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-accused shall abide by the conditions stipulated in Section 437(3) of Cr.P.C.(presently, Section 480(3) of the BNSS).

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

v. The petitioner-accused shall not involve in similar offence.

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.

10. Accordingly, the Criminal petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

B.R.MADHUSUDHAN RAO, J

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