IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

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

CRIMINAL PETITION No.17214 of 2026

(C.N.R.No.HBHC010720282026)

DATED: 29.10.2026

Between:

Azar Shakil Shaikh and another

...Petitioners-Accused Nos.1 and 2

AND

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

...Respondent

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 petitioners – accused Nos.1 and 2 on bail in connection with C.O.R No.183 of 2026 of Prohibition & Excise Station, Bhadrachalam. The offence alleged against the petitioners are punishable under Section 8

(c) read with 20 (b)(ii)(C) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

2. Heard Sri B. Muralidhar, learned counsel for petitioners-Accused Nos.1 and 2 and Sri D. Arun Kumar, learned Additional Public Prosecutor, appearing for respondent – State.

3. Learned counsel for the petitioners submits that the mandatory provisions of search and seizure are not followed. Seizing ganja and drawing samples in the presence of Magistrate and sending the same to Forensic Science lab is mandatory. Petitioner No.1-Accused No.1 is an Auto Driver and petitioner No.2-Accused No.2 is a daily wage labourer and they are eking out their livelihood and maintaining their families. The seized quantity is 21.100 kgs which is commercial quantity. The petitioners-Accused Nos.1 and 2 are arrested and remanded to judicial custody on 20.06.2026, since then they are in jail, entire investigation is completed and prayed to enlarge the petitioners – accused Nos.1 and 2 on bail.

4. Learned Additional Public Prosecutor submits that Inventory in the case is completed on 26.09.2026 and F.S.L report is awaited for filing of charge sheet and the petitioners-accused Nos.1 and 2 are from different states.

5. Complainant and his staff, during the route watch, apprehended accused Nos.1 and 2 on 20.06.2026 near Sand Rich, Bhadrachalam, while they were transporting Ganja on motorcycle to which there is no number plate, seized 21.100 kgs of Ganja in the presence of mediators.

6. C.O.R.No.183 of 2026 dated 20.06.2026 goes to show that accused Nos.1 and 2 are arrested on the same day and 21.100 kgs of Greenish colour Dry Ganja in one white colour plastic bag is seized in the presence of mediators, apart from that, seized two mobile phones and one motorcycle without number plate.

7. Record goes to show that Inventory in the case is completed on 26.09.2026 and F.S.L report is awaited for filing of charge sheet.

8. The Cause title of petitioners-accused Nos.1 and 2 goes to show that they are from Osmanabad, Maharastra.

9. Petitioners-Accused Nos.1 and 2 are in judicial custody since 20.06.2026 and the investigation is at fag end, detaining the petitioners-accused Nos.1 and 2 further in judicial custody will not serve the purpose, and they have made out a case for grant of bail and this Court is of the view that they are not likely to commit any offence while on bail. Accordingly, petitioners-Accused Nos.1 and 2 are entitled for grant of bail, subject to the following conditions:

i. The petitioners – Accused Nos.1 and 2 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 learned Judicial First Class Magistrate at Bhadrachalam.

ii. The petitioners-Accused Nos.1 and 2 shall appear before the concerned SHO between 11:00 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.

iii. The petitioners-Accused Nos.1 and 2 shall abide by the conditions stipulated in Section 437(3) of Cr.P.C. (presently, Section 480(3) of the BNSS).

iv. The petitioners- accused Nos.1 and 2 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.

10. Accordingly, this Criminal Petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

B.R.MADHUSUDHAN RAO, J

Date: 29.10.2026.
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