IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

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

CRIMINAL PETITION No.17722 of 2026

CNR No.HBHC010741882026

DATED : 04.11.2026

BETWEEN:

Sundru Hantal

... Petitioner-Accused No.4

AND

The State of Telangana,
Rep. by the Public Prosecutor

... Respondent-Complainant

ORDER

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 on bail who is arrayed as accused No.4 in connection with Crime No.310 of 2024 of P.S. Bhadrachalam Town, Bhadradri - Kothagudem District. The offences alleged against the petitioner-A4 are punishable under Sections 8(c) r/w 20(b)(ii)(C), 29 of the Narcotic Drug and Psychotropic Substances Act, 1985 (for short 'NDPS Act').

2. Heard Sri B.Bhagath Sain, learned counsel for petitioner-A4 and Sri D.Arun Kumar, learned Additional Public Prosecutor for respondent - State.

3. Learned counsel for the petitioner submits that the petitioner-A4 was neither apprehended at the scene of offence nor found in possession of any contraband, no recovery whatsoever was affected from his possession or at his instance in connection with the present crime. Petitioner's correct name as reflected in the Aadhar card is Sundru Hantal, whereas the original FIR merely refers to one Surender of Odisha State. Prosecution has subsequently shown the petitioner-A4 as Hantal Sundaranth @ Sundru @ Surendar Rao. Investigating agency has not established any reliable identification process or independent corroborative material linking the petitioner-A4 with the person referred to in the original prosecution version. Petitioner-A4 is implicated on the alleged confession of A1 recorded while in police custody. Petitioner-A4 is enlarged on bail in Crime No.509 of 2025 of Manuguru Police Station by the learned Sessions Court *vide* Crl.MP.No.535 of 2026 dated 22.06.2026. Petitioner-A4 has filed bail application before the learned District Court in the present crime, which came to be dismissed *vide* order dated 09.10.2026 holding that Section 37 of the NDPS Act is applicable. Petitioner-A4 is in judicial

custody since 25.06.2026. In support of his contention, has relied on the decisions in the cases of (1) Vijay Pal Singh Vs. State of Haryana[1] (2) Barreddi Balakrishan Vs. State of Andhra Pradesh[2] (3) Anirudh Agarwal and another Vs. The State of Telangana and another[3] (4) Niranjan Bisoi @ Landa and two others Vs. The State of Telangana[4] and prayed to enlarge the petitioner-A4 on bail.

4. Learned Additional Public Prosecutor submits that the total contraband seized is 26.610 kgs of ganja and the petitioner-A4 is a supplier. Charge sheet came to be filed before the concerned Court against A1 and A4 on 18.09.2026. Petitioner-A4 is also involved in Crime No.509 of 2025 in NDPS case, Section 37 of the NDPS Act is applicable to the petitioner-A4 and he is not entitled for grant of bail.

5. Complainant and his staff apprehended A1 - Sadakathulla MK on 03.11.2024 at 21.00 hours while he was transporting ganja in a car and seized 26.610 kgs of ganja in the presence of the mediators.

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[1] http://indiankanoon.org/doc/129456629/
[2] 2025 SCC OnLine AP 3040
[3] http://indiankanoon.org/doc/37473147/
[4] Criminal Petition No.16506 of 2026 dated 16.10.2026 of the High Court for the State of Telangana at Hyderabad

6. A1 has confessed that he was transporting ganja in collusion with A2 to A4. A1 - Sadakathulla MK was arrested and remanded to judicial custody on 04.11.2024. Remand case diary of A1 states that A2 – Sajesh, A3 - Shafi, A4 - Surender are shown as absconding.

7. Basing on the confession of A1, petitioner-A4 is arrayed as accused No.4.

8. Petitioner is shown as A5 in Crime No.509 of 2025 of PS Manuguru, which is also an NDPS case. In the above said case, 33 kgs of ganja was seized from the possession of A1 to A3 therein. Petitioner has filed Crl.MP.No.535 of 2026 in Crime No.509 of 2025 before the Sessions Court for grant of regular bail, the same came to be allowed *vide* order dated 22.06.2026. Before the petitioner was released from prison in pursuance of the order in Crl.MP.No.535 of 2026 dated 22.06.2026, police has regularized the PT warrant on 26.06.2026.

9. Petitioner-A4 has filed his unique identification (Aadhar card) wherein his name is shown as Sundru Hantal. In Crime No.509 of 2025, his name is shown as Sundru @ Sundar Rao.

10. In the present crime (Crime No.310 of 2024) his name is shown as Surender.

11. Petitioner-A4 has filed Crl.MP.No.984 of 2026 for grant of regular bail in the present Crime before the learned Sessions Court, which came to be dismissed *vide* order dated 09.10.2026 with an observation that "the quantity seized is 26.610 kgs of ganja, which is hit by Section 37 of the NDPS Act, and there is no changed circumstances from the date of dismissal of the earlier bail petition.

12.1. In **Vijay Pal Singh**[1], High Court of Punjab and Haryana at Chandigarh observed that "Petitioner is not involved in the commission of the offence besides on account of his not being involved in any other case, and the petitioner was arrested on the disclosure statement of co-accused and confession, thereby the accused therein is enlarged on bail.

12.2. The same view is taken in **Barreddi Balakrishan**[2].

12.3. In **Anirudh Agarwal**[3], the case pertains to quash of SC.No.1 of 2026, hence the said decision is not applicable.

12.4. **In Niranjan Bisoi**[4], this Court has also taken the view that A3 to A5 are solely arrested basing on the alleged confessional statements of A1 and A2.

13. Admittedly, contraband is seized from the possession of A1, and that the petitioner-A4 was not present at the scene of

offence. Basing on the confessional statement of A1, petitioner-A4 is arrayed as an accused.

14. The decision cited by the petitioner's counsel stated supra from Para Nos.12.1, 12.2 and 12.4 are applicable to the case on hand. Furthermore, charge sheet came to be filed against A1 and the petitioner-A4 on 18.09.2026. Petitioner-A4 has made out a case for grant of bail. Hence, the petitioner-A4 is entitled for grant of bail on the following conditions.

i. The petitioner-A4 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 at Bhadrachalam.

ii. The petitioner-A4 shall appear before the learned Sessions Court, as and when the case is posted and shall cooperate with the disposal of the main case.

iii. The petitioner-A4 shall not directly or indirectly influence, threaten, or induce any of the prosecution witnesses connected to the case.

iv. 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.

15. Accordingly, the Criminal petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

B.R.MADHUSUDHAN RAO, J

4th November, 2026
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