IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

THE HON'BLE SRI JUSTICE VAKITI RAMAKRISHNA REDDY

CRIMINAL PETITION No.18610 of 2026

CNR No. HBHC010771802026

DATED : 19.11.2026

BETWEEN:
Tapas Mandal ...Petitioner-A7

AND

The State of Telangana,
Rep. by the Public Prosecutor
High Court for the State of Telangana,
Hyderabad. Through SHO, Yellandu
Police Station, Bhadradri-Kothagudem
District. ...Respondent-State

ORDER

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.7in connection with Crime No.105 of 2024 of P.S.Yellandu, Bhadradri - Kothagudem District. The offence alleged against the petitioner-A7is punishable under Section 8(c) r/w 20(b)(ii)(C), 29 of the Narcotic Drug and Psychotropic Substances Act, 1985 (for short 'NDPS Act').

2. Heard SriB.Bhagath Sain, learned counsel for petitioner-A7and learned Additional Public Prosecutor for respondent - State.

3. Learned counsel for the petitioner submits that the petitioner is engaged in centering work and he is breadwinner of his family; that continued incarceration is causing serious hardship to his dependent family members; that the petitioner undertakes to cooperate with the trial and he shall neither influence the prosecution witnesses nor tamper with the evidence; that the petitioner has been in judicial custody since 10.07.2026; that on the confession of co-accused, the petitioner – A7 was involved in this case. In support of his contentions, he relied on the decisions in the cases of **Vijay Pal Singh v. State of Haryana[1],Barreddi Balakrishan v. State of Andhra Pradesh[2] and Niranjan Bisoi @ Landa and two others v. The State of Telangana[3]** and he prayed to enlarge the petitioner-A7 on bail.

4. Learned Additional Public Prosecutor submits thatthe total contraband seized from the possession of the accused is 109.42 kgs., which is a commercial quantity. Section 37 of the NDPS Act is applicable to the petitioner-A7. Investigating is under progress and therefore, the petitioner – A7 is not entitled for grant of bail and he prayed to dismiss the petition.

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[1]CRM-M-No.13149 of 2021,dated 02.09.2021
[2] 2025 SCC OnLine AP 3040
[3] Crl.P.No.16506 of 2026, dated 16.10.2026

5. As seen from the record, complainant and his staff apprehended A1 to A7 in Malkanagiri District of Orissa State. They noticed the dry ganja packets in two cars. After confirmation of ganja,Investigating agency conducted confession-cum-seizure panchanana in the presence of mediators and seized total ganja of 109.420 Kgs, which is valued at Rs.27,35,500/-.

6. Petitioner is shown as A7 in Crime No.105 of 2024 of PS Yellandu, which is also an NDPS case.In the abovesaid case, 109.42 Kgs., of dry ganja was seized while A1 and A3 illegally transporting the same.Petitioner-A7has filed Crl.MP.No.915 of 2026 in Crime No.105 of 2024 before the learned Sessions Court for grant of regular bail, the same came to be dismissed *vide* order dated 06.10.2026on the ground that the ganja seized is a commercial quantity.

7. In **Vijay Pal Singh's** case, 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.

8. The same view is taken in **Barreddi Balakrishan**(supra).

9. In **Niranjan Bisoi**(supra)**,** this Court has also taken the view that A3 to A5 are solely arrested basing on the alleged confessional statements of A1 and A2.

10. Admittedly, A1 and A3 illegally transporting the dry ganja and confessed before the mediators under the cover of confession-cum-seizure panchanama.Basing on the confessional statement of co-accused,petitioner-A7 is arrayed as an accused.

11. The decisions cited by the petitioner's counsel stated supra are applicable to the case on hand.Petitioner-A7 has made out a case for grant of bail. Hence, the petitioner-A7 is entitled for grant of bail on the following conditions:

i. The petitioner-A7 shall execute a personal bond for a sum of Rs.25,000/- (Rupees Five Thousand only), with two local sureties for a like sum each to the satisfaction of the learned Judicial Magistrate of First Class, Yellandu.

ii. The petitioner- A7 shall appear before the concerned SHO between 10:00 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 petitioner-A7 shall abide by the conditions stipulated in Section 437(3) of Cr.P.C. (presently, Section 480(3) of the BNSS).

iv) The petitioner- A7 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.

12. Accordingly, the Criminal petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

VAKITI RAMAKRISHNA REDDY,J

Date: 19.11.2026
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