

[3396]

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

WEDNESDAY, THE TWENTY SECOND DAY OF APRIL

TWO THOUSAND AND TWENTY SIX

:PRESENT:

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

CRIMINAL PETITION NO: 2905 OF 2026

Between:

Sonu Maharana, S/o. late Babru Maharana Aged 26 Years, R/o. Indanapur,
Badasahi, Mandapa Indanapur, Khairaputi, Gangapur, Ganjam District, Odisha
State.

Petitioner/Accused No.1

AND

1. The State of Andhra Pradesh, rep by its Public Prosecutor, High Court of
Andhra Pradesh At Amaravati.

Respondent/Complainant

Petition under Sections 480 & 483 of BNSS (Old Sections 437 &
439 of Cr.P.C), is filed praying that in the circumstances stated in the affidavit filed
in support of the Criminal Petition, the High Court may be pleased to release the
Petitioner/Accused No.1 on bail pending investigation, inquiry and trial in Crime No.
14/2026 of IV Town Police Station, Visakhapatnam Commissionerate.

The petition/Appeal coming on for hearing, upon perusing the Petition and the
affidavit filed in support thereof and upon hearing the arguments of SRI D
PURNACHANDRA REDDY Advocate for the Petitioner/Accused No.1, Public
Prosecutor for Respondent and the Court made the following.

ORDER

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA**CRIMINAL PETITION No. 2905 of 2026****ORDER:**

This Criminal Petition, under Sections 480 and 483 of the BNSS, has been filed by the Petitioner herein/Accused No.1, seeking regular bail, in Crime No. 14/2026 of IV Town Police Station, Visakhapatnam Commissionerate, registered for the offences punishable under Sections 20(b)(ii)(B) r/w 8(C) of Narcotic Drugs and Psychotropic Substances Act (for short "NDPS Act").

2. As per the case of the prosecution, the petitioner was found in possession of 6 Kgs of Ganja.

3. Heard Sri D.Purnachandra Reddy, learned counsel for the petitioner and Mrs.K.Priyanka Lakshmi, learned Assistant Public Prosecutor representing on behalf of the State.

4. Learned counsel for the petitioner would submit that the petitioner has been falsely implicated in this crime and that he is in no way connected with the commission of the offence. The petitioner has been in judicial custody since 01.02.2026. The contraband involved in the present crime is of 6 Kgs of Ganja, which is a non-commercial quantity. It is further submitted that the statutory period is over and no report has been filed before the Trial Court till date. Learned counsel further submits that the petitioner undertakes to strictly adhere to any conditions that may be imposed by this Court.

5. Learned Assistant Public Prosecutor on behalf of the State vehemently opposed the petition and contended that the investigation is still pending and the contraband involved in the present case is 6 Kgs of Ganja. She would further submit that no report was filed before the learned Special Court by the learned Public Prosecutor concerned seeking for extension period of judicial custody of the petitioner by indicating the progress of investigation and the specific reasons for the detention of the accused beyond the initial period.

6. Considering the submissions and upon keen perusal of the material placed on record and in the light of the facts and circumstances of the case, that the petitioner has been in judicial custody since 01.02.2026, the fact that the contraband involved in the present crime is only 6 Kgs of Ganja, that the statutory period is over and no report has been filed before the Special Court by the prosecution, this Court is inclined to enlarge the petitioner/accused No.1 on bail with the following conditions;

- i. The petitioner/accused No.1, shall execute personal bond for a sum of Rs. 20,000/- (Rupees Twenty Thousand only) with two sureties for a like sum each, to the satisfaction of the learned I Additional Chief Judicial Magistrate, Visakhapatnam.
- ii. The petitioner/accused No.1, shall appear before the Investigating Officer as and when required and shall cooperate with further investigation, if any.
- iii. The petitioner/accused No.1, shall not directly or indirectly tamper with evidence nor influence, intimidate, or induce any prosecution witness.

- iv. The petitioner/accused No.1, shall appear before the Station House Officer, concerned, once in a week i.e., on every Saturday between 10.00 a.m. and 5.00 p.m. till filing of charge sheet.
 - v. The petitioner/accused No.1, shall not commit or indulge in commission of any offence in future.
 - vi. The petitioner/accused No.1, shall surrender his passport, if any, to the concerned Court. If he claims that he does not have a passport, he shall submit an affidavit to that effect to the concerned Court.
7. In the event of violation of any of the above conditions, the prosecution shall be at liberty to seek cancellation of bail.
8. It is also made clear that the observations made in this order are only for the purpose of deciding the bail application and they shall not be construed as opinion on the merits of the Crime.
9. Accordingly, this Criminal Petition is allowed.

As a sequel thereto, the miscellaneous applications, if any, pending in this Criminal Petition shall stand closed.

//TRUE COPY//

SD/- P.VINOD KUMAR
DEPUTY REGISTRAR
SECTION OFFICER

To,

1. The 1st Additional Chief Judicial Magistrate at Visakhapatnam.
2. The Superintendent, Central Prison, Visakhapatnam.
3. The IV Town Police Station, Visakhapatnam Commissionerate.
4. One CC to SRI. D PURNACHANDRA REDDY Advocate [OPUC]
5. Two CC's to Public Prosecutor, High Court of AP at Amaravati. [OUT]
6. One spare copy

TVSR

HIGH COURT

DR.VJP,J

DATED: 22/04/2026

ORDER

CRLP.No.2905 of 2026

ALLOWED

