

APHC010258882026



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)**

[3396]

THURSDAY, THE SEVENTH DAY OF MAY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

CRIMINAL PETITION NO: 4103/2026

Between:

1. PEDADA SAI ROHITH ALIAS SMART SAI, , S/O. JAGAN, AGED ABOUT 20 YEARS, R/O. D. NO.39-20-156, INDUSTRIAL ESTATE, MADHAVADHARA, VISAKHAPATNAM CITY AND DISTRICT, PRESENTLY RESIDING AT D. NO.6-12, S.C. COLONY, OLD GOPALAPATNAM, VISAKHAPATNAM CITY AND DISTRICT

...PETITIONER/ACCUSED

AND

1. THE STATE OF ANDHRA PRADESH, Rep by its Public Prosecutor, High Court of Andhra Pradesh at Amaravati.

...RESPONDENT/COMPLAINANT

Petition under Section 437/438/439/482 of Cr.P.C and 528 of BNSS praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court pleased to enlarge the Petitioner/Accused on bail pending disposal of Crime No.108/2026 of Gopalapatnam P.S., Visakhapatnam District and to pass

Counsel for the Petitioner/accused:

1. GOLLAPALLI MAHESWARA RAO

Counsel for the Respondent/complainant:

1. PUBLIC PROSECUTOR

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA**CRIMINAL PETITION NO: 4103/2026****ORDER:**

This Criminal Petition, under Sections 480 and 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, has been filed by the petitioner/Accused, seeking regular bail, in Crime No.108/2026 of Gopalapatnam P.S., Visakhapatnam District, registered for the offence punishable under Sections 20 (b)(ii)(B), r/w 8(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short "NDPS Act").

2. The case of the prosecution, in brief, is that on 08.04.2026 at about 11.00 a.m., upon receipt of credible information regarding transportation of ganja near Burial Ground, back side of Aditya College road, Vidhya Nagar, Gopalapatnam, Visakhapatnam, the police rushed to the scene and apprehended accused. On questioning the accused he confessed that he purchased Ganja for Rs.10,000/- from unknown person in Paduva villages, Odissa and he was going to sell that ganja seized 01 packet of Ganja containing 4.120 kgs from the possession of the accused in the presence of mediators.

3. Heard Sri G. Maheswara Rao, learned counsel for the petitioners, and Mrs. K. Priyanka Lakshmi, learned Assistant Public Prosecutor representing the State.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present crime and that they are no way connected with the alleged offence. He further submits that the petitioners have been in judicial custody since 09.04.2026 and that the contraband allegedly seized, i.e., 4.120 kilograms of ganja, constitutes a non-commercial quantity. Learned counsel also submits that the petitioners are the sole breadwinners of their respective families and undertakes that the petitioners will abide by any conditions that may be imposed by this Court.

5. Per contra, learned Assistant Public Prosecutor vehemently opposed the petition and submitted that the petitioner was apprehended while in conscious possession of the contraband. She further submits that the investigation is still pending and the statutory period for completion of investigation has not yet expired. Therefore, she prayed for dismissal of the petition.

7. Having considered the submissions made by both sides and upon perusal of the material available on record, this Court finds that though the contraband involved in the present case is 4.120 kilograms of ganja, which is a non-commercial quantity, the investigation is still pending and the statutory period has not yet been completed. At this stage, this Court is not inclined to enlarge the petitioners on bail.

8. Further, having regard to the facts and circumstances of the case, this Court is of the opinion that there are no reasonable grounds at this stage to

believe that the petitioner is not guilty of the alleged offence or that he would not commit a similar offence if released on bail. Therefore, this Court does not find any merit in the present Criminal Petition.

Accordingly, the Criminal Petition is dismissed.

DR. JUSTICE VENKATA JYOTHIRMAI PRATAPA

Date: 07.05.2026

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THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

CRIMINAL PETITION NO: 4103/2026

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