

APHC010288082026



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

[3520]

THURSDAY, THE ELEVENTH DAY OF JUNE
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE A. HARI HARANADHA SARMA

CRIMINAL PETITION NO: 4630/2026

Between:

1. KRISHNA KANDHA PANI, S/O DURJODHANAKHANDHAPANI, AGED ABOUT 19 YEARS, OCC CIVIL CONTRACTOR LABOUR, R/O KHAMBESI VILLAGE, BISMA KATAK P.O., KURIL, RAYAGADA DISTRICT, ODISSA STATE - 765019.

...PETITIONER/ACCUSED

AND

1. THE STATE OF ANDHRA PRADESH, Rep. by its Public Prosecutor, High Court of Judicature of Andhra Pradesh at Amaravati through the SHO, P.M. Palem Police Station, Visakhapatnam.

...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 release the Petitioner/Accused No. 1 on bail in Cr. No. 247 of 2026, on the file of P.M. Palem Police Station, Visakhapatnam and pass

Counsel for the Petitioner/accused:

1. BONU RAMA SHANKAR RAO

Counsel for the Respondent/complainant:

1. PUBLIC PROSECUTOR

THE HONOURABLE SRI JUSTICE A. HARI HARANADHA SARMA**CRIMINAL PETITION NO: 4630/2026****The Court made the following Order:**

The Criminal Petition has been filed under Sections 480 and 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for brevity 'the BNSS'), seeking to enlarge the Petitioner/Accused No.1 on bail in Crime No.247 of 2026 of P.M. Palem Police Station, Visakhapatnam Commissionerate, registered for the offence punishable under Section 20(b)(ii)(B) read with 8(c), 27(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for brevity, "the NDPS Act").

2. Heard Sri Bonu Rama Shankar Rao, learned Counsel for the petitioner/accused No.1 and learned Assistant Public Prosecutor representing the respondent-State.

3. Case of the prosecution, in brief, is that on 07.05.2026 at about 09:00 a.m., near the dumping yard, Chinagadili, Marikavalasa, the petitioner along with other accused was found in possession of and transporting 1.7 grams of ganja. When he was questioned regarding the source from where it was procured, he disclosed certain details of the other accused, who had allegedly supplied the ganja, and they were also arrested. The petitioner/Accused No.1 was arrested and remanded to judicial custody on 07.05.2026 and since then he has been in jail.

4. Learned counsel for the petitioner would submit that 1.7 grams of ganja worth Rs.200/- was allegedly found in possession of the petitioner for the purpose of performing pooja but the mediator's report shows that the petitioner has a habit of consuming ganja. Learned counsel for the petitioner would further submit that the petitioner has been in jail since 07.05.2026, is aged about 19 years, is working as a labourer, and that his family is dependent on him.

5. Learned Assistant Public Prosecutor, while formally opposing the application, would submit that the investigation has not yet been concluded and that all the accused have been arrested.

6. Upon considering the factual scenario, the prayer of petitioners for grant of bail found convincing, however, on the following conditions.

i. The Petitioner/Accused No.1 shall be enlarged on bail on each of them executing bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only), with two sureties for the like sum each to the satisfaction of the learned XVI Additional Metropolitan Magistrate, Bheemunipatnam.

ii. The Petitioner/Accused No.1 shall appear before the Station House Officer concerned on the first Monday of every month until filing of the charge sheet.

iii. The Petitioner/Accused No.1 shall not directly or indirectly make any inducement, threat or promise to any person acquainted with

the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the prosecution evidence.

iv. The Petitioner/Accused No.1 shall not indulge in similar acts of crime.

v. The Petitioner/Accused No.1 and his sureties shall furnish their permanent residential address details and identity particulars to the concerned police and keep the Police informed about the change in address, if any, time to time.

vi. The Petitioner/Accused No.1 shall furnish details of his passport, if any, along with copies thereof. The police are at liberty to monitor the travel of the petitioner and, if necessary, move appropriate application before the competent authority for impounding the passport in accordance with law.

vii. The Petitioner/Accused No.1 shall not interfere with the investigation and scrupulously comply with the above conditions.

7. Accordingly, the Criminal Petition is allowed.

JUSTICE A. HARI HARANADHA SARMA

Date: 11.06.2026
KKV/Ksj

THE HONOURABLE SRI JUSTICE A. HARI HARANADHA SARMA

CRIMINAL PETITION NO: 4630/2026

Date: 11.06.2026
KKV/KSJ