

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.10426 OF 2026

DATE : 14.07.2026

Between :

Mohammed Khan
S/o Mohammed Mortaza Ali Khkan
And another.

...Petitioners/
Accused Nos.1 and 2

And

The State of Telangana,
Rep.by its Public Prosecutor,
High Court for the State of Telangana,
Hyderabad.

... Respondent
Complainant

ORDER

This Criminal Petition is filed under Sections 480 & 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioners/Accused Nos.1 and 2 seeking to enlarge them on bail in connection with C.O.R.No.186 of 2026 of Prohibition and Excise Station, Bhadrachalam, Bhadrachalam District. The offence alleged against the petitioners is punishable under Section 8 (c) read with 20 (b) (ii) (B) of the NDPS Act, 1985.

2. The case of the prosecution is that on 21.06.2026, on reliable information, the Prohibition and Excise Sub

Inspector and long with his staff conducted route watch and detected illegal possession and transportation of dry ganja of 9.7 kgs by the petitioners and another. It is stated that after informing the same to the higher officials, the complainant seized the contraband from the possession of the petitioners, registered a case against for the aforesaid offence and produced them before the learned Magistrate concerned. All completing all formalities, they were remanded to judicial custody and since then they are in jail.

3. Heard Sri Mohammed Naseeruddin, learned counsel for the petitioners/Accused Nos.1 and 2 and Sri D.Arun Kumar, learned Additional Public Prosecutor, appearing for the respondent-State.

4. The contention of learned counsel for the petitioners is that the petitioners are innocent of the offence alleged against them; that the petitioners are in judicial custody from 21.06.2026; that the contraband i.e., 9.7 kgs., which was seized from the possession of the petitioners is an intermediate quantity; that there are no cases pending against the petitioners; that entire investigation is completed,

as such requested the Court to grant regular bail to the petitioners-accused Nos.1 and 2.

5. On the other hand, learned Additional Public Prosecutor opposed the same and submits that the offence alleged against the petitioners is punishable under the provisions of NDPS Act; that investigation is not yet completed. However, he informed the Court that there are no other cases pending against the petitioners.

6. Considering the submissions made by learned counsel for petitioners and learned Additional Public Prosecutor, the petitioners have been in judicial custody since 21.06.2026. As seen from the record, the contraband which was seized from the possession of the accused i.e., 9.7 kgs., is an intermediate quantity. Considering the period of incarceration, quantity of contraband seized and progress in investigation, this Court is inclined to grant bail to the petitioners-accused Nos.1 and 2 subject to the following conditions:

- (i) The petitioners-accused Nos.1 and 2 shall execute a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each with two sureties for a like sum each to the satisfaction of the learned Judicial Magistrate of First Class, Bhadrachalam.

- (ii) On such release, the petitioners-accused Nos.1 and 2 shall appear before the concerned S.H.O. between 09:00 a.m., and 5:00 p.m., on every Monday 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 petitioners-accused Nos.1 and 2 shall abide by the conditions stipulated in Section 437 (3) of Cr.P.C. (presently, Section 480 (3) of BNSS).

7. Accordingly, the Criminal petition is allowed.

Miscellaneous petitions, if any, pending shall stand closed.

K. SUJANA, J

Date: 14.07.2026

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