APHC010493512026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3521]**
(Special Original Jurisdiction)

THURSDAY, THE 15th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 8313/2026

Between:

1. DANIYAL HANTAL ALIAS VANTHALA DANIYELU ALIAS KOMMULU, S/O. SIRAMA, AGED ABOUT 29 YEARS,R/O. DAGUDUPALLI VILLAGE, DHULIPUTTU PANCHAYAT,CHITRAKONDA BLOCK, MALKANGIRI DISTRICT,ODISHA STATE.
2. PULU PANGI, S/O. LATE PILUKU, AGED ABOUT 34 YEARS,R/O. DAGUDUPALLI VILLAGE, DHULIPUTTU PANCHAYAT,CHITRAKONDA BLOCK, MALKANGIRI DISTRICT,ODISHA STATE.
3. SINAYA HANTAL, S/O. JADU, AGED ABOUT 56 YEARS,R/O. DAGUDUPALLI VILLAGE, DHULIPUTTU PANCHAYAT,CHITRAKONDA BLOCK, MALKANGIRI DISTRICT,ODISHA STATE.

...PETITIONER/ACCUSED Nos.4 to 6

AND

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

...RESPONDENT/COMPLAINANT

Counsel for the Petitioner/accused(S):

1. GOLLAPALLI MAHESWARA RAO

Counsel for the Respondent/complainant:

1. PUBLIC PROSECUTOR

The Court made the following:

ORDER:

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 Petitioners/Accused Nos.4 to 6 on bail in Crime No.04 of 2026 of A.Annavaram Police Station, Alluri Sitharama Raju District, registered for the alleged offences punishable under Sections 20(b)(ii)(C), 25 read with 8(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for brevity 'the NDPS Act').

2. Mr. Gollapalli Maheswara Rao, the learned counsel for the Petitioners, submits that the Petitioners are innocent of the alleged offence and they have been falsely implicated by the police. It is further submitted that the Petitioners are the sole earning members of the family and, therefore, their incarceration would cause undue hardship to their dependents. They are law-abiding citizens. The Petitioners undertake to strictly adhere to any conditions that may be imposed by this Court. Hence, it is urged to allow the Criminal Petition.

3. *Per contra*, Mr.A.Sai Rohith, the learned Assistant Public Prosecutor vehemently opposed the grant of bail to the Petitioners and submitted that, though the Charge Sheet has already been filed, the accusations against the Petitioners are well founded. Hence, urged to dismiss the Criminal Petition.

4. Heard the learned counsel for the Petitioners and the learned Assistant Public Prosecutor. Perused the record.

5. As seen from the record, the Petitioners are arraigned as Accused Nos.4 to 6 in this case. The contraband seized in this case is 308.220 kgs of ganja. The alleged offence took place on 09.02.2026. It is alleged that they assisted the main accused in packing the ganja. Nothing was seized from their possession, and their alleged role came to light based on the confessional statements of Accused Nos.1 and 2. After thorough investigation, the charge sheet was filed and numbered as NSC No.308 of 2026. The Petitioners were arrested on 26.04.2026 and have been in judicial custody for the past 172 days. The Petitioners are permanent residents of Odisha State. They have got fixed abode. If the Petitioners are enlarged on bail, they would cooperate with the learned Trial Court for the expeditious disposal of the case.

6. Having regard to the facts and circumstances of the case, the nature and gravity of the allegations levelled against the Petitioners/Accused Nos.4 to 6, this Court is inclined to enlarge the Petitioners on bail, subject to certain stringent conditions.

7. In the result, the Criminal Petition is allowed with the following stringent conditions:

> i. The Petitioners/Accused Nos.4 to 6 shall be enlarged on bail subject to their executing a bond for a sum of Rs.5,00,000/- (Rupees Five Lakhs only) with two sureties for the like sum each to the satisfaction of the learned I Additional District and Sessions Judge-cum-Special Judge for Trial of Offences under NDPS Act, Visakhapatnam.

ii. The Petitioners/Accused Nos.4 to 6 shall appear before the learned Trial Court on each and every adjournment without fail.

iii. The Petitioners/Accused Nos.4 to 6 shall not commit or indulge in commission of any offence in future.

iv. The Petitioners/Accused Nos.4 to 6 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/her from disclosing such facts to the Court.

v. The Petitioners/Accused Nos.4 to 6 shall surrender their passports, if any, to the Investigating Officer. If they claim that they do not have passports, they shall submit affidavits to that effect to the Investigating Officer.

vi. The Petitioners/Accused Nos.4 to 6 shall furnish their permanent and temporary address details to the Investigating Officer/Station House Officer concerned.

vii. The Petitioners/Accused Nos.4 to 6 shall not leave the jurisdiction of the learned Trial Court without obtaining the express permission of the learned Trial Court.

DR. Y. LAKSHMANA RAO, J

Date: 15.10.2026
PRA

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 8313 of 2026

Date: 15.10.2026

PRA