APHC010536262026

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: 8971/2026

Between:

1. BADDUHZAMA ALIAS BADDU, S/O ABDUL BATHEN, AGED 23 YRS, D.NO.13-964, MUSTAFFA COLONYARILOVA, VISAKHAPATNAM CITY , AADHAR NO.99913 2353 1197

...PETITIONER/ACCUSED

AND

1. THE STATE OF ANDHRA PRADESH, Through the S.H.O.,of Arilova P.S., Visakhapatnam Rep., by itsPublic Prosecutor High Court at Amaravathi

...RESPONDENT/COMPLAINANT

Counsel for the Petitioner/accused:

1. RAVURI LEELA SAI SAMPATH

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 Petitioner/Accused No.2 on bail in Crime No.244 of 2026 of Arilova Police Station, Visakhapatnam Commissionerate, registered for the alleged offences punishable under Sections 20(b)(ii)(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for brevity 'the NDPS Act') and Section 25(1-B) of the Arms Act.

2. Mr. Ravuri Leela Sai Sampath, the learned Counsel for the Petitioner submits that the Petitioner is innocent of the alleged offence. He has been falsely implicated by the police. It is further submitted that the Petitioner is the sole earning member of the family and, therefore, his incarceration would cause undue hardship to his dependents. He is a law-abiding citizen. The Petitioner undertakes to strictly adhere to any conditions that may be imposed by this Court. Hence, it is urged to allow the Petition.

3. *Per contra*, Mr. A.Sai Rohith, the learned Assistant Public Prosecutor vehemently opposed the grant of bail to the Petitioner, submitting that the investigation is still underway and several material witnesses remain to be examined. It is contended that if the Petitioner is released on bail at this stage, there is a strong likelihood that he may abscond, thereby hampering the ongoing investigation and evading the process of law and urged to dismiss the Petition.

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

5. As seen from the record, the Petitioner is arraigned as Accused No.2 in this case. The Petitioner was arrested on 31.08.2026 and has been in judicial custody for the past 45 days. The seized contraband is 3.090 kgs. of ganja. It is not a commercial quantity. The material portion of the investigation is completed, and so far, four witnesses have been examined. There are two adverse antecedents reported against the Petitioner, but they are not similar in nature.

6. The Petitioner is a permanent resident of Arilova, Visakhapatnam. He has got fixed abode. If the Petitioner is enlarged on bail subject to stringent conditions, there is no likelihood of his absconding, threatening the witnesses, tampering with the evidence or hampering the further course of investigation.

7. Having regard to the facts and circumstances of the case, the nature and gravity of the allegations levelled against the Petitioner/Accused No.2, this Court is inclined to enlarge the Petitioner on bail, subject to certain stringent conditions.

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

> i. The Petitioner/Accused No.2 shall be enlarged on bail subject to his executing a bond for a sum of Rs.1,00,000/- (Rupees One Lakh only) with two sureties for the like sum each to the satisfaction of the learned Chief Judicial Magistrate, Visakhapatnam.

ii. The Petitioner/Accused No.2 shall appear before the Station House Officer concerned, on every Saturday in between 10:00 am and 05:00 pm, till filing of the charge sheet.

iii. The Petitioner/Accused No.2 shall not leave the limits of the State of Andhra Pradesh without prior permission from the Station House Officer concerned.

iv. The Petitioner/Accused No.2 shall not commit or indulge in commission of any offence in future.

v. The Petitioner/Accused No.2 shall cooperate with the Investigating Officer in further investigation of the case and shall make himself available for interrogation by the Investigating Officer as and when required.

vi. The Petitioner/Accused No.2 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.

vii. The Petitioner/Accused No.2 shall surrender his passport, if any, to the Investigating Officer. If he claims that he does not have passport, he shall submit affidavit to that effect to the Investigating Officer.

DR. Y. LAKSHMANA RAO, J

Date: 15.10.2026
PRA

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 8971 of 2026

Date: 15.10.2026

PRA