IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. OF 2026
(Arising out of SLP (Criminal) No. 20560 of 2026)

MOHAMMAD KAIF **APPELLANT(S)**

VERSUS

STATE OF CHHATTISGARH **RESPONDENT(S)**

O R D E R

1. The counter affidavit filed on behalf of the respondent-State is taken on record.

2. Leave granted.

3. The High Court of Chhattisgarh at Bilaspur, by the impugned order dated 30.09.2026, has rejected the appellant's prayer for bail.

4. Appellant, is figuring as an accused in FIR No.87 of 2023, registered at Police Station Singhoda, District Mahasamund, Chhattisgarh, under Sections 20(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

Signature Not Verified
Digitally signed by RAHUL KUMAR
Date: 2026.11.07 17:42:20 IST
Reason:

5. Learned counsel for the appellant submits that allegedly 40 kg of *ganja* (cannabis) was recovered from the joint possession of four persons, including the appellant. The appellant has been in custody for more than three years, having been arrested on 27.10.2023. It is further brought to the notice of this Court that all the other three co-accused persons have already been enlarged on bail.

6. Learned counsel for the respondent-State has opposed the prayer for grant of bail, submitting that the trial is at the verge of the conclusion as 09 out of 10 prosecution witnesses have already been examined and only 01 witness remains to be examined.

7. Having heard learned counsel for the parties and taking into consideration the documents on record, the prolonged period of incarceration undergone by the appellant, as well as the fact that all the three co-accused persons have already been granted bail, this Court is of the opinion that the appellant also deserves to be enlarged on bail.

8. Accordingly, we set aside the impugned order

of the High Court.

9. Appellant shall be released on bail, subject to furnishing of bail bonds to the satisfaction of the trial court and subject to such other terms and conditions as may be imposed by it.

10. Needless to observe, the appellant shall not, directly or indirectly, by making inducement, threat or promise, dissuade any person acquainted with the facts of the case from disclosing such facts to the court.

11. In the event there is any breach of the terms and conditions for grant of bail, the trial court shall be at liberty to cancel the bail of the appellant.

12. It is also ordered that the appellant shall diligently attend proceedings of the trial, unless exempted. If he is found to abstain from attending the proceedings without justifiable cause, that could also be seen as breach of the conditions for grant of bail and the trial court will be free to pass appropriate orders.

13. We clarify that the observations made in this order and grant of bail will not be treated as findings on the merits of the case.

14. The appeal is, accordingly, allowed on the aforesaid terms.

15. Pending application(s), if any, shall stand disposed of.

……J.
[SATISH CHANDRA SHARMA]

……
J.
[NONGMEIKAPAM KOTISWAR SINGH]

NEW DELHI;
05th November, 2026

ITEM NO.51 COURT NO.15 SECTION II-C

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl.) No(s). 20560/2026

[Arising out of impugned final judgment and order dated 30-09-2026 in MCRC No. 8166/2026 passed by the High Court of Chhattisgarh at Bilaspur]

MOHAMMAD KAIF Petitioner(s)

VERSUS

STATE OF CHHATTISGARH Respondent(s)

IA No. 328362/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT
IA No. 328349/2026 - EXEMPTION FROM FILING O.T.

Date : 05-11-2026 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE SATISH CHANDRA SHARMA
HON'BLE MR. JUSTICE NONGMEIKAPAM KOTISWAR SINGH

For Petitioner(s) :Mr. Niranjan Marde, Adv.
Mr. Dhirendra Prasad Mishra, Adv.
Ms. Aswathi M.k.- 2498, AOR

For Respondent(s) :Mr. Vinayak Sharma, Adv.

UPON hearing the counsel the Court made the following
O R D E R

1. Leave granted.

2. The appeal is allowed in terms of the signed order placed on the file.

3. Pending application(s), if any, shall stand disposed of.

(RAHUL KUMAR)
COURT MASTER (SH)

(KOMAL)
COURT MASTER (NSH)