**IN THE SUPREME COURT OF INDIA**

**CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPEAL NO. OF 2026**
**(arising out of SLP (Crl.) No. 18320/2026)**

**MOHAMMAD KAIF APPELLANT(S)**

**VERSUS**

**STATE OF CHHATTISGARH RESPONDENT(S)**

# O R D E R

1. **Leave granted.**

2. **The appellant, Mohammad Kaif, is aggrieved by the denial of regular bail by the High Court of Chhattisgarh at Bilaspur, *vide* order dated 14.05.2026 passed in MCRC No. 3387/2026. He seeks bail in relation to First Information Report (FIR) No. 391/2025, registered with Police Station–Chhawani, Durg, Chhattisgarh, for the offences punishable under Sections 20(b), 2(c) and 27(a) of the Narcotic Drugs and Psychotropic**

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Date: 2026.11.16 17:35:22 IST
Reason:

**Substances Act, 1985.**

3. **The appellant, Mohammad Kaif, has been in custody since 24.07.2025.**

4. **Counter affidavit filed by the State of Chhattisgarh states to the effect that the appellant and the co-accused were standing on the National Highway together and the quantity of contraband substance, namely, *Ganja*, seized from them would be more than the commercial quantity of 20 Kgs, when put together. However, the counter affidavit does not indicate as to on what basis the appellant has been clubbed with the co-accused and as to whether there was any meeting of minds between them. It is for the State to establish this fact during trial. We are further informed that chargesheet has already been filed but the trial has not begun. There is, therefore, no possibility of the trial concluding any time soon in the near future.**

5. **In these circumstances, we are of the opinion that no grounds are made out for continued incarceration of the appellant, Mohammad Kaif, at this stage, pending completion of the trial.**

6. **Accordingly, we accept the present appeal and direct that the appellant, Mohammad Kaif, shall be released on bail in connection with the aforestated FIR on such appropriate terms and conditions as may be fixed by the Special Court.**

7. **In addition, the appellant, Mohammad Kaif, shall cooperate during the course of the trial and shall not take undue adjournments.**

8. **The impugned order is set aside and the appeal is allowed in the aforestated terms.**

9. **We clarify that we have not made any observations/comments on the merits of the case and any observation made in**

**this order is meant only for the limited purpose of grant of bail.**

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

**.....J.**
**(SANJAY KUMAR)**

**.....J.**
**(SANJEEV SACHDEVA)**

**NEW DELHI;**
**NOVEMBER 16, 2026.**

**ITEM NO.8 COURT NO.7 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 for Special Leave to Appeal (Crl.) No. 18320/2026**

**[Arising out of impugned final judgment and order dated 14-05-2026 in MCRC No. 3387/2026 passed by the High Court of Chhattisgarh at Bilaspur]**

**MOHAMMAD KAIF Petitioner(s)**

**VERSUS**

**STATE OF CHHATTISGARH Respondent(s)**

**Date : 16-11-2026 This petition was called on for hearing today.**

**CORAM :**
**HON'BLE MR. JUSTICE SANJAY KUMAR**
**HON'BLE MR. JUSTICE SANJEEV SACHDEVA**

**For Petitioner(s)** **Mr. Salman Khurshid, Sr. Adv.**
**Ms. Sommya Chaturvedi, AOR**
**Mr. Athar Abbas Zaidi, Adv.**
**Ms. Sonika Choudhary, Adv.**

**For Respondent(s)** **Mrs. Prerna Dhall, Adv.**
**Mr. Ambuj Swaroop, Adv.**
**Mr. Shashi Kant, Adv.**

**Mr. Avinash Singh, Adv.**
**Mr. Prashant Singh- 3583, AOR**

**UPON hearing the counsel, the Court made the following**

**O R D E R**

**Leave granted.**

**In terms of the signed order, the appeal is allowed and the appellant the appellant, Mohammad Kaif, shall be released on bail in connection with First Information Report (FIR) No. 391/2025, registered with Police Station–Chhawani, Durg, Chhattisgarh, for the offences punishable under Sections 20(b), 2(c) and 27(a) of the Narcotic Drugs and Psychotropic Substances Act, 1985, on such appropriate terms and conditions as may be fixed by the Special Court.**

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

**(BABITA PANDEY)**
**AR-CUM-PS**

**(PREETI SAXENA)**
**COURT MASTER (NSH)**

**(Signed order is placed on the file)**