



**IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPEAL NO. _____ OF 2026
(@ SPECIAL LEAVE PETITION (CRIMINAL) NO.18661/2026)**

NAROTAM BEHERA & ORS.

APPELLANT(S)

VERSUS

STATE OF CHHATTISGARH

RESPONDENT(S)

ORDER

1. Leave granted.
2. We have heard Mr. Ratnakar Dash, learned Senior counsel for the appellants and Mr. Aman, learned counsel for the respondent-State of Chhattisgarh.
3. There are 03 appellants in this appeal. They are Narotam Behera, Shiv Sahu and Shushil Kumar Sahu.
4. Appellants are aggrieved by order dated 12.05.2026 passed by the High Court of Chhattisgarh at Bilaspur (briefly the 'High Court' hereinafter), rejecting their regular bail application.
5. Appellants are accused in Crime No.20/2026 registered at Police Station- Singhoda, District- Mahasamund, Chhattisgarh, under Sections 20(b)(ii)(C) and 29(1) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, 'NDPS Act').

6. Appellants were arrested on 24.02.2026 and has been in custody since then.

7. This Court had issued notice vide order dated 21.09.2026, pursuant to which respondent-State of Chhattisgarh has filed counter affidavit.

8. In the case of co-accused Budhu Bhutiya, this Court, vide order dated 16.09.2026, had granted him bail. Relevant portion of the order dated 16.09.2026 is as under:

"8. We have duly considered the submissions made and have also perused the materials on record. We find that in all there are eight accused persons. Total quantity of contraband seized is 137 kilograms. As of now, there is no apportionment of the contraband between the accused persons. This is relevant because the commercial quantity of ganja is twenty kilograms or more. We further find that the co-accused have already been enlarged on bail by the Court. Investigation is complete whereafter charge-sheet has been filed though the charges have not yet been framed.

9. In such circumstances, we are inclined to grant bail to the appellant. Consequently, we set aside the impugned order of the High Court dated 14.05.2026 and direct that the appellant shall be produced before the jurisdictional Special Court within a maximum period of seven days from today whereafter he shall be enlarged on bail on such terms and conditions as may be deemed appropriate."

9. On due consideration, we are of the opinion that the

same benefit may be extended to the appellants as well.

10. That being the position, the impugned order dated 12.05.2026 passed by the High Court is set aside.

11. Consequently, we direct that the appellants shall be produced before the jurisdictional Special Court within a maximum period of 07 days from today, whereafter they shall be released on bail on such terms and conditions as may be deemed appropriate. We further direct that the appellant(s) shall appear on each and every date of hearing before the Trial Court except on such occasions when his presence may be exempted by the Trial Court.

12. Accordingly, the Criminal Appeal is allowed.

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

.....J.

[UJJAL BHUYAN]

.....J.

[ATUL S. CHANDURKAR]

NEW DELHI;
27th OCTOBER, 2026.
AK

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Crl.) No(s). 18661/2026

[Arising out of impugned final judgment and order dated 12-05-2026 in MCRC No. 4442/2026 passed by the High Court of Chhattisgarh at Bilaspur]

NAROTAM BEHERA & ORS.

Petitioner(s)

VERSUS

STATE OF CHHATTISGARH

Respondent(s)

FOR ADMISSION

(IA No. 266516/2026 - EXEMPTION FROM FILING O.T.
IA No. 276055/2026 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES
IA No. 287814/2026 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES)

Date : 27-10-2026 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE UJJAL BHUYAN
HON'BLE MR. JUSTICE ATUL S. CHANDURKAR

For Petitioner(s): Mr. Ratnakar Dash, Sr. Adv.
Mr. Shashank Singh, AOR
Mr. Tusarkanta Sahu, Adv.
Ms. Prapti Shrivastava, Adv.
Mr. Varun Singh, Adv.

For Respondent(s): Mr. Aman Shekhar, Adv.
Mr. Vinayak Sharma, Standing Counsel, Adv.
Mr. Kshitiz Aggarwal, Adv.
Ms. Kavyayani N. Singh, Adv.
Mr. Ravinder Kumar Yadav- 1919, AOR

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

1. Leave granted.
2. The Criminal Appeal is allowed in terms of the signed order placed on the file.

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

(ABHINAV KUMAR)
COURT MASTER (SH)

(CHETNA BALOONI)
COURT MASTER (NSH)