



IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL No. _____/2026
[@ SPECIAL LEAVE PETITION (CRL.) NO.17045/2026]

TOSHIF @ SONU YUNUSKHAN
SHAIKH (PATHAN)

Appellant(s)

VERSUS

STATE OF GUJARAT

Respondent(s)

O R D E R

1. Leave granted.
2. Heard learned counsel for the parties.
3. This appeal arises from an order dated 10.07.2026 passed by the Gujarat High Court rejecting the regular bail prayer of the appellant in connection with FIR being C.R. No.11210055250460 of 2025 registered with Salabatpura Police Station, District Surat City.
4. The submission on behalf of the appellant is that there is no recovery of contraband from the appellant; the recovery is alleged to be from

appellant's father; and the appellant has been implicated on the basis of confessional statement of his father which has no evidentiary value. Besides, it is submitted that the appellant has suffered incarceration since 08.05.2025 and the trial is not likely to conclude in near future.

5. The learned counsel for the respondent-State has opposed the prayer for bail, but could not dispute that there is no recovery of contraband from the appellant in connection with the present case.

6. Having regard to the above, without expressing any opinion on merits of the prosecution case, we are of the view that the appellant is entitled to be released on bail pending trial.

7. The appeal is, accordingly, allowed. The order passed by the High Court rejecting the bail prayer of the appellant is set aside.

8. The appellant shall be released on bail on such terms and conditions as the trial court may deem fit to impose in the facts and circumstances of the case.

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

.....J
[MANOJ MISRA]

.....J
[MANMOHAN]

NEW DELHI
OCTOBER 26, 2026

ITEM NO.13

COURT NO.8

SECTION II-E

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 for Special Leave to Appeal (Crl.) No. 17045/2026

[Arising out of impugned final judgment and order dated 10-07-2026 in CRLMA No. 12266/2026 passed by the High Court of Gujarat at Ahmedabad]

TOSHIF @ SONU YUNUSKHAN
SHAIKH (PATHAN)

Petitioner(s)

VERSUS

STATE OF GUJARAT

Respondent(s)

IA No. 273187/2026 - EXEMPTION FROM FILING C/C OF
THE IMPUGNED JUDGMENT, IA No. 273189/2026 -
EXEMPTION FROM FILING O.T.

Date : 26-10-2026 This matter was called on for
hearing today.

CORAM :

HON'BLE MR. JUSTICE MANOJ MISRA
HON'BLE MR. JUSTICE MANMOHAN

For Petitioner(s) Mr. Narendra Kumar Goyal, Adv.
Mr. Mukesh Kumar Singh, Adv.
Mr. K H Daya, Adv.
Mr. Jeetendra Kumar, Adv.
Ms. Komal Singh, Adv.
Ms. Kajal Rani, Adv.
Mr. Rahul Saini, Adv.
Mr. Sabyasachi Dubey, Adv.
Mr. Divyanshu Saraswat, Adv.

M/S. Mukesh Kumar Singh And Co.
- 2589, AOR

For Respondent(s) Ms. Swati Ghildiyal- 3169, AOR
Mr. Nimesh Bhatt, 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 which is placed on the file. The operative portion of the signed order reads thus:

"7. The appeal is, accordingly, allowed. The order passed by the High Court rejecting the bail prayer of the appellant is set aside.

8. The appellant shall be released on bail on such terms and conditions as the trial court may deem fit to impose in the facts and circumstances of the case."

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

(KAVITA PAHUJA)
ASTT. REGISTRAR-cum-PS

(SAPNA BANSAL)
COURT MASTER (NSH)