



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

Criminal Appeal No. /2026

(Arising out of SLP (CrI.) No.10667/2026)

VED PRAKASH TIWARI

Appellant

VERSUS

STATE OF CHHATTISGARH

Respondent

O R D E R

- 1.** Heard.
- 2.** Leave granted.
- 3.** Appellant who has been arraigned as an accused in FIR No.56/2025 registered at Police Station Chhawani, District Durg (C.G.) for the offence punishable under Section 21(C) of the Narcotic Drugs and Pyschotropic Substances Act, 1985 (for short "NDPS") is seeking for being enlarged on bail.
- 4.** On 01.02.2025 the jurisdictional police received a secret information that appellant along with other persons selling narcotics tablets near Baikunthdha, Podium using a Pulsar motorcycle. The police accordingly, conducted a raid

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RAHUL KUMAR
Date: 2026.10.26
16:09:38 IST
Reason:

and recovered four boxes containing 8 strips each of Alprazolam tablet, total 1200 tablets from the possession of the appellant. The prosecution alleges that the contraband was recovered from his possession constituted commercial quantity under the NDPS Act.

5. We have heard the learned counsel appearing for the parties. The learned counsel appearing for the appellant contends that vehicle was seized by the police in connection with Crime No. 56/2025 registered at Chhawani Police Station, the appellant being the registered owner of the seized motorcyle. It is contended that the mandatory procedural safeguards contemplated under Section 42 and 50 of NDPS Act was not complied with during search and seizure. It is also contended that no independent witnesses were associated during the recovery from a public place rendering the prosecution case doubtful. Hence, appellant seeks for being enlarged on bail.

6. Per contra, the learned counsel appearing for the respondent-State submit that contraband was seized from the conscious possession of the appellant and, as such, he is not entitled for the discretionary relief at the hands of

this Court.

7. Having heard the learned counsel appearing for the parties and on perusal of the records, we notice that appellant has no criminal antecedents and chargesheet has been filed and trial is in progress. Hence, we are of the considered view that appellant is entitled to be released on bail. The fact that the appellant is in custody from 01.02.2025 would also persuade us to grant the prayer sought for. Hence, appeal is allowed, impugned order is set aside and appellant is ordered to be released on bail on such terms and conditions as the jurisdictional Court deems fit to impose.

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

..... J.
(ARAVIND KUMAR)

..... J.
(VIPUL M. PANCHOLI)

New Delhi;
October 16, 2026.

ITEM NO.2

COURT NO.10

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). 10667/2026

[Arising out of impugned final judgment and order dated 17-10-2025 in MCRC No. 8399/2025 passed by the High Court of Chhattisgarh at Bilaspur]

VED PRAKASH TIWARI

Petitioner(s)

VERSUS

STATE OF CHHATTISGARH

Respondent(s)

IA No. 154392/2026 - EXEMPTION FROM FILING O.T.

Date : 16-10-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ARAVIND KUMAR
HON'BLE MR. JUSTICE VIPUL M. PANCHOLI

For Petitioner(s) :

Mr. Sandeep Pathak, Adv.
Mr. Kisalaya Shukla- 3695, AOR
Ms. Shruti Mishra, Adv.
Mr. Ritesh Shrivastava, Adv.
Ms. Jyotsans Tripathi, Adv.
Ms. Kashish Jaiswal, Adv.

For Respondent(s) :

Mrs. Purna Dhall, Adv.
Mr. Ambuj Swaroop, Adv.
Mr. Shashi Kant, Adv.

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

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

- 1.** Heard.
 - 2.** Leave granted.
 - 3.** The criminal appeal is allowed in terms of the signed order which is placed on the file.
- 484+.** Pending application(s), if any, shall stand disposed of.

(DEEPANSHU)
SENIOR PERSONAL ASSISTANT

(AVGV RAMU)
COURT MASTER (NSH)