



ITEM NO.4

COURT NO.16

SECTION II-A

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). 13985/2026

[Arising out of impugned final judgment and order dated 26-02-2026 in IA No. 1709/2026 passed by the High Court of Jharkhand at Ranchi]

VIKASH KUMAR @ VIKAS KUMAR

Petitioner(s)

VERSUS

UNION OF INDIA

Respondent(s)

IA No. 207024/2026 - EXEMPTION FROM FILING O.T.

Date : 09-10-2026 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. Harsh Kaushik- 2302, AOR

For Respondent(s) :Mrs. Archana Pathak Dave, A.S.G.
Mr. Divyam Aggarwal, Adv.
Mr. Raghav Sharma, Adv.
Dr. N. Visakamurthy- 3411, AOR
Ms. Astha Singh, Adv.
Mr. Kartikeya Asthana, Adv.
Ms. Vidushi Pandey, Adv.
Mr. Gaurang Bhushan, Adv.
Mr. Karunesh Kumar Shukla, Adv.
Mr. Arvind Kumar Sharma-aor, Adv.

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

1. The petitioner has filed the present Special Leave Petition, being aggrieved by the order dated 26.02.2026

passed by the High Court of Jharkhand at Ranchi in I.A. No. 1709 of 2026 in Cr. Appeal (DB) No. 981 of 2023, whereby the High Court rejected the petitioner's prayer for suspension of sentence.

2. The prosecution case, in brief, is that the officers of the Narcotics Control Bureau intercepted a red Eicher Pro 1059 XP goods carrier bearing registration No. JH-05-V-2371, which was allegedly being escorted by a Hero motorcycle. The occupants of the goods carrier, as well as the persons travelling on the motorcycle, were apprehended, and 697 kg of ganja was allegedly recovered from the goods carrier.

3. Learned counsel appearing for the petitioner, at the outset, submitted that the High Court had granted bail to the co-accused persons who were travelling in the Eicher goods carrier, from which the contraband was recovered. It was further submitted that the petitioner was allegedly escorting the goods carrier on a motorcycle and that the co-accused person who was riding pillion with the petitioner had also been granted bail.

4. Learned counsel appearing for the respondent, Union of India, did not dispute the aforesaid factual submissions.

5. Having considered the submissions advanced on behalf

of the parties, this Court is of the view that, in the facts and circumstances of the present case, the petitioner is entitled to the benefit of parity, particularly when the co-accused persons from whose possession the contraband was recovered, as well as the co-accused person who was accompanying the petitioner on the motorcycle, have been granted bail. It is also relevant to note that the respondent has not sought cancellation of the bail granted to the aforesaid co-accused persons.

6. In view of the aforesaid facts and circumstances, this Court is of the considered opinion that the petitioner's prayer for suspension of sentence deserves to be allowed. Accordingly, the prayer is allowed.

7. The petitioner is accordingly directed to be released on bail during the pendency of the appeal before the High Court, subject to such terms and conditions as may be imposed by the Trial Court.

8. With the above observations, the Special Leave Petition is disposed of.

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

(RAHUL KUMAR)
COURT MASTER (SH)

(KOMAL)
COURT MASTER (NSH)