

Narcotic Drugs and Psychotropic Substances Act, 1985¹.

The appellant, Manoj Kumar Gupta, has been in custody for over seven years and we are informed that there is no possibility of his appeal being heard by the High Court any time soon in the near future. Though the appeal filed by the appellant is against his conviction under the provisions of the NDPS Act in relation to a commercial quantity of contraband, we are of the opinion that he would be entitled to relief at this stage, pending consideration of his appeal in due course of time by the High Court.

The appeal is, accordingly, allowed, setting aside the impugned order dated 15.05.2025.

Subject to the appellant, Manoj Kumar Gupta, depositing the fine amount imposed by the Special Court and subject to such other appropriate terms and conditions as

1 "NDPS Act", for short

may be fixed by the Special Court, the appellant shall be released on bail upon suspension of sentence, pending consideration of his appeal on merits.

The appellant shall regularly appear or remain represented during the course of hearing of his appeal by the High Court, and shall not take unnecessary adjournments.

We clarify that we have not made any observations/comments on the merits of the pending appeal and any observation made in this order is meant only for the limited purpose of grant of bail.

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

.....J.
(SANJAY KUMAR)

.....J.
(K. VINOD CHANDRAN)

**NEW DELHI;
MARCH 12, 2026.**

ITEM NO.1 COURT NO.12 SECTION II-A

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.
11588/2025

[Arising out of impugned final judgment and order dated 15-05-2025 in CRASJ No. 4459/2024 passed by the High Court of Judicature at Patna]

MANOJ KUMAR GUPTA Petitioner(s)

VERSUS

STATE OF BIHAR & ANR. Respondent(s)

(IA No. 185475/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No. 185476/2025 - EXEMPTION FROM FILING O.T.)

WITH

SLP(Crl) No. 1320/2026 (II-A)

Date : 12-03-2026 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KUMAR
HON'BLE MR. JUSTICE K. VINOD CHANDRAN

For Petitioner(s) :

Mr. Anil Nag, AOR

Mr. Gaurav Agarwal, Sr. Adv. (N/P)

Mr. Abhikalp Pratap Singh, AOR

Ms. Shubhangi Agarwal, Adv.

Ms. Kashish Jain, Adv.

For Respondent(s) :

Mr. Samir Ali Khan, AOR
Mr. Pranjal Sharma, Adv.
Mr. Kashif Irshad Khan Faridi, Adv.

Mr. Anil Kaushik, A.S.G.
Mr. Pranjal Singh, Adv.
Mr. Astha Singh, Adv.
Mr. Diwakar Sharma, Adv.
Mr. Vishnu Shankar Jain, Adv.
Mr. Arvind Kumar Sharma, AOR

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

SLP(Crl.) No. 11588/2025

Leave granted.

The appeal is allowed, setting aside the impugned order dated 15.05.2025, in terms of the signed order.

Subject to the appellant, Manoj Kumar Gupta, depositing the fine amount imposed by the Special Court and subject to such other appropriate terms and conditions as may be fixed by the Special Court, the appellant shall be released on bail upon suspension of sentence, pending consideration of his appeal on merits.

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

SLP(Crl.) No. 1320/2026

Learned counsel for the State of Bihar shall

file a counter affidavit/reply within two weeks from today.

Rejoinder thereto, if any, may be filed within one week thereafter.

Re-list on 08.04.2026.

(DEEPAK GUGLANI)
AR-cum-PS

(PREETI SAXENA)
COURT MASTER (NSH)

(signed order in SLP(Crl.) No. 11588/2025 is placed on the file)