



IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. of 2026
[ARISING OUT OF SLP (CRL.) NO. 4214/2026]

SAIYED MUSTUFA MIYA

Appellant(s)

VERSUS

THE STATE OF MAHARASHTRA

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 03.07.2025 passed by the High Court of Bombay rejecting the regular bail prayer of the appellant in connection with Crime (Register) No.10/2024, registered at Anti-Narcotics Cell, Azad Maidan Unit, Mumbai.
4. At the outset, learned counsel for the appellant submits that he has suffered incarceration for a period exceeding two

years pending trial and till date only one witness has been examined in the trial. It is submitted that there is no likelihood of trial being concluded in near future and the appellant who has no previous criminal antecedents is not likely to misuse the liberty of bail.

5. The learned counsel for the respondent could not dispute that the appellant has no previous antecedent.
6. In such circumstances, having regard to the long period of incarceration, without expressing any opinion on the 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
[N.V. ANJARIA]

New Delhi
April 10, 2026

ITEM NO.10

COURT NO.14

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 for Special Leave to Appeal (Crl.) No.
4214/2026

[Arising out of impugned final judgment and order
dated 03-07-2025 in BA No. 812/2025 passed by the
High Court of Judicature at Bombay]

SAIYED MUSTUFA MIYA

Petitioner(s)

VERSUS

THE STATE OF MAHARASHTRA

Respondent(s)

IA No. 55130/2026 - EXEMPTION FROM FILING O.T.

Date : 10-04-2026 This matter was called on for
hearing today.

CORAM :

HON'BLE MR. JUSTICE MANOJ MISRA
HON'BLE MR. JUSTICE N.V. ANJARIA

For Petitioner(s) :Mr. Sherali Khan, Adv.
Ms. Radha Rajput, Adv.
Mr. Ankur Yadav, AOR

For Respondent(s) :Ms. Rukhmini Bobde, Adv.
Mr. Siddharth Dharmadhikari, Adv.
Mr. Aaditya Aniruddha Pande, AOR
Mr. Shrirang B. Varma, Adv.
Mr. Vinayak Aren, Adv.
Mr. Jatin Dhamija, Adv.
Ms. Aishwarya Nigam, 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 is as under:

"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)