



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

**CRIMINAL APPEAL NO. OF 2026**  
**(arising out of SLP(Crl.) No. 3363 of 2026)**

**SATISH KUMAR APPELLANT(S)**

**VERSUS**

**STATE OF BIHAR RESPONDENT(S)**

**O R D E R**

**Leave granted.**

**Learned counsel for the State of Bihar, appearing on advance notice, opposes the prayer of the appellant, Satish Kumar, for grant of anticipatory bail but states that the matter may be decided on its own merits and in accordance with law.**

**We find that the appellant, Satish Kumar, has been denied grant of anticipatory bail by the High Court of**

Judicature at Panta, *vide* order dated 28.01.2026 passed in Criminal Miscellaneous No. 91119/2025, in connection with PS Case/First Information Report (FIR) No. 593/2025 dated 24.07.2025 registered with Police Station - Bihta, District - Patna, Bihar, for the offences punishable under Sections 8(c) and 21(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985<sup>1</sup>.

The allegation is that one Kundan was apprehended on 24.07.2025 while riding a motorcycle and 100 sachets of Heroin were recovered from his right pant pocket. The appellant, Satish Kumar, is sought to be implicated on the ground that the motorcycle, which was being ridden by Kundan Kumar, belonged to him.

The case of the appellant is that he sold the said motorcycle to Kundan Kumar on 07.10.2023 for a sum of ₹37,000/- (Rupees thirty seven thousand only) under

1 "NDPS Act", for short

an unregistered sale agreement but the ownership was not updated by the Regional Transport Authority.

These are aspects to be considered during the course of the trial, but in the meanwhile, we find no grounds made out for custodial interrogation of the appellant, Satish Kumar.

Subject to the appellant joining and cooperating with the investigation in the aforestated PS Case/FIR, we direct that in the event of his arrest in connection therewith, he shall be forthwith released on bail on such terms and conditions as may be fixed by the Special Court.

The appeal is accordingly allowed, setting aside the impugned judgment/order dated 28.01.2026.

The appellant shall also abide by the conditions stipulated in Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

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

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

.....J.  
(SANJAY KUMAR)

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

NEW DELHI;  
FEBRUARY 25, 2026.

ITEM NO.28

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  
RECORD OF PROCEEDINGS

Petition for Special Leave to Appeal (Crl.) No.  
3363/2026

[Arising out of impugned final judgment and order dated 28-01-2026 in CRLM No. 91119/2025 passed by the High Court of Judicature at Patna]

SATISH KUMAR

Petitioner(s)

VERSUS

STATE OF BIHAR

Respondent(s)

(FOR ADMISSION and IA No. 59488/2026 - EXEMPTION FROM FILING O.T.)

Date : 25-02-2026 This matter was called on for hearing today.

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

For Petitioner(s) :

Mr. Atif Inam, AOR

For Respondent(s) :

Mr. Manish Kumar, Adv./AOR

Mr. Kumar Saurav, Adv.

Mr. Divyansh Mishra, Adv.

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

Leave granted.

Subject to the appellant joining and cooperating with the investigation in PS

Case/First Information Report (FIR) No. 593/2025 dated 24.07.2025 registered with Police Station - Bihta, District - Patna, Bihar, for the offences punishable under Sections 8(c) and 21(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985, it is directed that in the event of his arrest in connection therewith, he shall be forthwith released on bail on such terms and conditions as may be fixed by the Special Court.

The appeal is accordingly allowed, setting aside the impugned judgment/order dated 28.01.2026, in terms of the signed order.

The appellant shall also abide by the conditions stipulated in Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

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

(DEEPAK GUGLANI)

AR-cum-PS

(signed order is placed on the file)

(PREETI SAXENA)

COURT MASTER (NSH)