



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

**CRIMINAL APPEAL No. \_\_\_\_\_ OF 2026**  
**[arising out of SLP (Crl.) No. 10170 OF 2026]**

**MANOJ DANGI**

**APPELLANT**

**VERSUS**

**UNION OF INDIA**

**RESPONDENT**

**ORDER**

1. Leave granted.
2. The High Court of Judicature at Allahabad, by the impugned judgment and order dated 4<sup>th</sup> February, 2026, has dismissed the appellant's second application for bail.
3. Appellant was arrested on 19<sup>th</sup> May, 2020 in connection with FIR/Case Crime No.11 of 2020 registered at Police Station N.C.B., Lucknow under Sections 8(C)/18/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.
4. We have heard learned counsel appearing for the parties and perused the materials on record.
5. In the FIR it is alleged that the appellant had supplied 31 kg of

opium to co-accused Preetpal Singh in Jharkhand; further that, the main person who has given opium to other co-accused persons is the appellant. Also, it was the appellant who informed to the competent authority that 60 kg opium was hidden in the cavity of a truck and on the basis of his specific pointing such amount of opium was recovered.

6. Allegations are no doubt serious. Prosecution proposes to examine 13 witnesses to drive home the charges against the appellant.

7. However, what is most unfortunate is that despite 6 years of pre-trial incarceration of the appellant, the trial against him is yet to begin in this case. Obviously, the trial is likely to take time to conclude.

8. In ***Rabi Prakash vs. State of Odisha***<sup>1</sup>, this Court while granting bail to an accused who was in custody for more than three and half years in connection with an FIR registered under Section 20(b)(ii)(C), NDPS Act held that

“4. ... The prolonged incarceration generally militates against the most precious fundamental right guaranteed under Article 21 of the Constitution and in such a situation, the conditional liberty must override the statutory embargo created under Section 37(1)(b)(ii), NDPS Act.”

9. Having regard to what has been said by this Court in ***Rabi Prakash*** (supra), there being no valid reason for the delay in

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<sup>1</sup> 2023 SCC OnLine SC 1109

commencement of trial, and the long period of pre-trial incarceration of the appellant amounting to sort of a punishment without the conclusion of the trial anytime soon being in sight, we are of the opinion that further detention of the appellant in custody is not warranted and that he may be admitted to an order for release on bail.

10. Accordingly, we set aside the impugned judgment and order.

11. Appellant shall be released on bail, subject to furnishing of bail bonds to the satisfaction of the trial court and subject to such other terms and conditions as may be imposed by it.

12. Needless to observe, the appellant shall not, directly or indirectly, by making inducement, threat or promise, dissuade any person acquainted with the facts of the case from disclosing such facts to the court.

13. In the event there is any breach of the terms and conditions for grant of bail, the trial court shall be at liberty to cancel the bail of the appellant.

14. It is also ordered that the appellant shall diligently attend proceedings of the trial, unless exempted. If he abstains from attending the proceedings without justifiable cause, that could also be seen as breach of the conditions for grant of bail and the trial court will be free to pass appropriate orders.

15. We clarify that the observations made in this order and grant of

bail will not be treated as findings on the merits of the case.

16. The trial court is encouraged to expedite the trial once witness action begins.

17. The appeal is, accordingly, allowed on the aforesaid terms.

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

.....J.  
[DIPANKAR DATTA]

.....J.  
[SATISH CHANDRA SHARMA]

**New Delhi;  
June 04, 2026.**

ITEM NO.18

COURT NO.4

SECTION II

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

Special Leave to Appeal (Crl.) No(s). 10170/2026

[Arising out of impugned final judgment and order dated 04-02-2026 in CRLMBA No. 54187/2022 passed by the High Court of Judicature at Allahabad]

MANOJ DANGI

Petitioner(s)

VERSUS

UNION OF INDIA

Respondent(s)

IA No. 165657/2026 - EXEMPTION FROM FILING C/C OF THE  
IMPUGNED JUDGMENT

IA No. 165658/2026 - EXEMPTION FROM FILING O.T.

Date : 04-06-2026 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE DIPANKAR DATTA  
HON'BLE MR. JUSTICE SATISH CHANDRA SHARMA  
[PARTIAL COURT WORKING DAYS BENCH]

For Petitioner(s) :Mrs. Divya Narayanan, Adv.  
Mr. Parth Singh, Adv.  
Mr. Manav Sharma, Adv.  
Mr. Anish R. Shah, AOR

For Respondent(s) :Ms. Archana Pathak Dave, A.S.G.  
Ms. Astha Singh, Adv.  
Mr. Rajat Nair, Adv.  
Mr. Amit Sharma B, Adv.  
Mr. Adarsh Kumar Pandey, Adv.  
Mr. Arvind Kumar Sharma, AOR

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 placed on

the file.

**(JATINDER KAUR)**  
**P.S. to REGISTRAR**

**(SUDHIR KUMAR SHARMA)**  
**COURT MASTER (NSH)**