



ITEM NO.16

COURT NO.5

SECTION II

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Criminal Appeal No.2276/2025

PRAMOD YADAV

Appellant(s)

VERSUS

STATE OF U.P.

Respondent(s)

[ONLY IA NO. 263665/2025 IN CRL. APPEAL NO. 2276/2025 AND IA NO. 263723/2025 IN CRL. APPEAL NO. 2277/25 ARE LISTED UNDER THIS ITEM]
IA No. 263665/2025 - GRANT OF BAIL)

WITH

Crl.A. No. 2277/2025 (II)

Date : 29-10-2025 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J.B. PARDIWALA
HON'BLE MR. JUSTICE SANDEEP MEHTA

For Appellant(s) :

Mr. Paresh Upadhyay, Adv.
Mr. Manoj K. Mishra, AOR
Mr. Umesh Dubey, Adv.
Ms. Madhulika, Adv.
Mr. Anand Kumar Rai, Adv.
Mr. Radeesh Kumar Mt, Adv.
Mr. Amulya Dev Mishra, Adv.

For Respondent(s) :

Ms. Srishti Singh, AOR
Mr. Manish Kumar, Adv.

Mr. Satendra Tripathi, AOR
Mr. Mayank Tripathi, Adv.
Ms. Shreya Chaturvedi, Adv.
Mr. Astitva Tripathi, Adv.
Mr. Shivam Singh, Adv.

Mr. Shakti Singh, Adv.
Mr. Inish Mishra, Adv.

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

IA NO. 263665/2025 IN CRIMINAL APPEAL NO. 2276/2025 AND IA
NO. 263723/2025 IN CRIMINAL APPEAL NO. 2277/2025:-

1. Pramod Yadav and Vinod Yadav are the two convicts who pray for bail rather suspension of the substantive order of sentence imposed by the Trial Court as affirmed by the High Court, pending their respective Criminal Appeals before this Court.
2. We take notice of the fact that in all five accused including the two appellants before us were put to trial in the Court of Additional Sessions Judge, Court No.3, Balia, Uttar Pradesh in Sessions Trial No.176/2010.
3. We take notice of the fact that the appellant - Pramod Yadav stood convicted for the offence of murder punishable under Section 302 of the Indian Penal Code simplicitor whereas the other three co-accused were convicted with the aid of Section 34 IPC. The fifth co-accused stood convicted under Section 193 IPC and was sentenced to two years RI with fine of Rs.1,000/-.
4. All four were sentenced to undergo life imprisonment with fine of Rs.10,000/- each.
5. The convicts went before the High Court with their respective Appeals. The appeals filed by Pramod Yadav and Vinod Yadav came to be dismissed. The High Court thereby affirmed the judgment and order of conviction passed by the Trial Court.
6. So far as other three co-accused are concerned, they came to be acquitted by the High Court.
7. It appears that pending the Criminal Appeals before the High Court, Pramod Yadav and Vinod Yadav respectively were ordered to be released on bail.
8. The two appellants are here before us praying that they may be released on bail pending the final disposal of their Criminal Appeals.

9. We heard Mr. Paresh Upadhyay, the learned counsel appearing for the appellants and Ms. Srishti Singh, the learned counsel appearing for the respondent - State of U.P.

10. We are inclined to consider the plea for suspension of substantive order of sentence so far as Vinod Yadav is concerned having regard to the role attributed to him as well as nature of the evidence on record.

11. In such circumstances, we order that Vinod Yadav be released on bail pending final disposal of his appeal before this Court on such terms and conditions as the Trial Court may deem fit to impose.

12. In so far as Pramod Yadav is concerned, we are not inclined or rather persuaded to consider suspending the substantive order of sentence passed by the Trial Court against him.

13. However, considering the fact that Pramod Yadav has already undergone 8 years of rigorous imprisonment, let both the appeals arising from the common judgment and order passed by the High Court be notified for final hearing after a period of six months.

14. If for any reason, the appeals are not taken up for hearing, it shall be open for Pramod Yadav to once again renew his prayer for suspension of sentence.

15. With the aforesaid, both the Interlocutory Applications stand disposed of.

(VISHAL ANAND)
ASTT. REGISTRAR-cum-PS

(POOJA SHARMA)
COURT MASTER (NSH)