



(Corrected)

Non-Reportable

IN THE SUPREME COURT OF INDIA  
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. \_\_\_\_\_ OF 2026  
(Arising out of SLP(Crl.) No.2162/2026)

VINOD KUMAR YADAV @ VINOD  
YADAV

APPELLANT(S)

VERSUS

STATE OF UTTAR PRADESH

RESPONDENT(S)

O R D E R

Leave granted.

1. The appellant, is aggrieved by the denial of bail by the High Court of Judicature at Allahabad, especially noticing the two grievous firearm injuries sustained by the victim and also taking note of the observations made by the Trial Court that the defence is attempting to purposefully delay the trial.
2. Mr. Shoeb Alam, learned Senior Counsel appearing for the appellant points out that despite the statement that the appellant shot at the victim in the FIR, there are serious contradictions coming out from the statements recorded.
3. We were also taken through the order in the case of

another accused produced as Annexure P7, wherein bail was granted, also noticing the fact that the main accused who were alleged with overt acts were enlarged on bail, which grounds found in favour of that accused, squarely applies in the case of the appellant also.

4. The learned Government Advocate takes us to the order sheet of the Trial Court, which specifically mentions a riot situation in the Court premises when the trial was being conducted. It is also submitted that it was at the victim's instigation that a violent crowd gathered in the Court premises for which an FIR has been registered against the victim. It is also pointed out that the accused and their Counsel are not cooperating and many a time, the Counsel were not available to cross-examine the witnesses of the prosecution. The learned counsel appearing for the second respondent also resists the request for grant of bail to the appellant.

5. We notice that the appellant has been incarcerated for more than two years and the allegation *inter alia* is under Section 307 of the Indian Penal Code, 1860 (IPC). The delay in the trial cannot be attributed to the appellant herein, especially since he was in jail and the victim also resorted to intimidation that too within the court premises.

6. Looking at the totality of the circumstances, we are of

the opinion that there would be no purpose served in continuing the incarceration of the appellant, pending completion of the trial.

7. Accordingly, we allow the present appeal and direct that the appellant, Vinod Kumar Yadav @ Vinod Yadav, be released on bail in connection with FIR Case Crime No.216 of 2023 registered under Sections 147, 148, 149, 307 of IPC and Sections 3, 25 and 27 of the Arms Act, 1959 at Police Station Bijnaur, District Lucknow.

8. The appellant shall be released on bail on such appropriate terms and conditions as may be fixed by the Trial Court.

9. Considering the observations made by the Trial Court as available in the order sheet, we direct that, to avoid a tense situation and obstruction being caused to the trial proceedings, the learned Trial Court may at its discretion permit the accused to appear online or allow exemption applications, if any filed, permitting their appearance through counsel. Insofar as the non-cooperation of the defence counsel, we make it clear that the Trial Court would be entitled to ensure smooth proceedings in the trial by granting a prayer for adjournment to cross examine a witness once and then, if on the second occasion, none appears, close the cross examination with respect to that particular accused and

proceed with the trial.

10. 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 bail.

11. The impugned order is set aside and the appeal is allowed on the aforestated terms.

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

.....J.  
(SANJAY KUMAR)

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

NEW DELHI;  
MARCH 13, 2026.

ITEM NO.9

COURT NO.12

(REVISED)  
SECTION II

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

Petition(s) for Special Leave to Appeal (Crl.) No(s). 2162/2026

[Arising out of impugned final judgment and order dated 19-12-2025 in CR MBA No. 11848/2024 passed by the High Court of Judicature at Allahabad, Lucknow Bench]

VINOD KUMAR YADAV @ VINOD YADAV Petitioner(s)

VERSUS

THE STATE OF UTTAR PRADESH & ANR. Respondent(s)

(FOR ADMISSION AND IA No. 38939/2026 - EXEMPTION FROM FILING O.T.)

Date : 13-03-2026 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. Shoeb Alam, Sr. Adv.  
Mr. Rizwan Ahmad , AOR  
Mr. Mohd Shoaib Ansari, Adv.  
Mohd. Asad Khan, Adv.

For Respondent(s) Mr. Ajay Kumar Mishra, Advocate General  
Mr. Shaurya Sahay, AOR  
Mr. Aman Jaiswal, Adv.  
Ms. Sharvi Sharma, Adv.  
Mr. Ashish Singh, Adv.

Mr. Nadeem Murtaza, Adv.  
Mr. Harsh Vardhan Kediya, Adv.  
Mr. Yashwant Singh, AOR

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

Leave granted.

In terms of the signed order, it is directed that the appellant, Vinod Kumar Yadav @ Vinod Yadav, be released on bail in connection with FIR Case Crime No.216 of 2023 registered under Sections 147, 148, 149, 307 of the Indian Penal Code, 1860 and Sections 3, 25 and 27 of the Arms Act, 1959 at Police Station Bijnaur, District Lucknow.

The appeal is allowed in terms of the signed order.

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

(BABITA PANDEY)  
AR-cum-PS

(NIKITA SINGH)  
COURT MASTER (NSH)

(Corrected signed order is placed on the file)

ITEM NO.9

COURT NO.12

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

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Mr. Mohd Shoaib Ansari, Adv.

For Respondent(s) Mr. Ajay Kumar Mishra, Advocate General  
Mr. Shaurya Sahay, AOR  
Mr. Aman Jaiswal, Adv.  
Ms. Sharvi Sharma, Adv.  
Mr. Ashish Singh, Adv.  
  
Mr. Nadeem Murtaza, Adv.  
Mr. Harsh Vardhan Kediya, Adv.  
Mr. Yashwant Singh, AOR

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(BABITA PANDEY)  
AR-cum-PS

(NIKITA SINGH)  
COURT MASTER (NSH)

(Signed order is placed on the file)