



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

CRIMINAL APPEAL NO. _____ OF 2026
(Arising out of SLP (Crl.) No.5300 of 2026)

SURAJ PASWAN

APPELLANT(S)

VERSUS

STATE OF UTTAR PRADESH

RESPONDENT(S)

O R D E R

- 1. Leave granted.**
- 2. The appellant challenges the judgment and order dated 26.02.2026 in Criminal Misc. Bail Application No.15310 of 2025, titled "*Suraj Paswan Vs. State of U.P.*", passed by the High Court of Judicature at Allahabad.**
- 3. The appellant was arrested in connection with FIR No.238 of 2018 dated**

**25.10.2018 registered at Police Station -
Chopan, District - Sonbhadra, U.P.**

**4. On 01.04.2026, we have passed the
following order:**

“1. The petitioner challenges the impugned judgment and order dated 26.02.2026 in Criminal Miscellaneous Bail Application No.15310 of 2025, titled “Suraj Paswan Vs. State of U.P.”, passed by the High Court of Judicature at Allahabad.

2. We have heard learned counsel for the parties.

3. Issue notice, returnable on 29.04.2026.

4. Mrs. Rachna Gupta, learned counsel, accepts notice on behalf of State of Uttar Pradesh. Hence, the formal service of notice on 1 the respondent is waived.

5. Learned counsel for the petitioner to serve a copy of the present

petition to the learned counsel for the respondent within a period of one (01) week.

6. Response be filed positively within two weeks. Rejoinder affidavit thereto, if any, be filed before the next date of listing. The State to clarify as to whether it has accepted the order of releasing the co-accused on bail.

7. We make it clear that no further opportunity will be granted for this purpose."

5. The respondent-State has filed counter affidavit, which is conspicuously silent insofar as our direction in para no.6 as extracted (supra), is concerned. The role ascribed to the present appellant is similar to that of the co-accused. The appellant had already suffered

incarceration for a period of more than seven years. It is not the case of the prosecution, as has emerged from the affidavit that he has not cooperated during trial or is involved in another crime of similar nature.

6. In view of the same, the appellant has made out a case for interference with the impugned judgment and order dated 26.02.2026.

7. Considering the totality of circumstances and also the fact that the appellant has been in custody since 01.01.2019, we are inclined to grant bail to the appellant on such terms as may be fixed by the Trial Court. Ordered accordingly.

8. To comply with this order, the

appellant shall be produced before the Trial Court forthwith.

9. Trial expedited. The appellant shall fully cooperate during the investigation/trial, and he shall not misuse the liberty in any manner, and shall extend complete cooperation in the trial of the instant case. It shall be open to the Trial Court to take all steps, including cancellation of bail, should the necessity arise.

10. Needless to add, if the investigation is not complete in all respects, the appellant would fully cooperate, and if the challan/charge sheet is filed, he would maintain good conduct and not attempt to influence any of the witnesses in any manner till the completion of the

trial.

11. If the appellant possesses a passport, the same shall be surrendered before the Competent Authority/Court until the conclusion of the trial or directed otherwise.

12. The impugned judgment/order dated 26.02.2026 shall stand set aside.

13. Accordingly, the appeal is allowed.

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

.....J.
(SANJAY KAROL)

.....J.
(NONGMEIKAPAM KOTISWAR SINGH)

**NEW DELHI;
APRIL 29, 2026.**

ITEM NO.4

COURT NO.11

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).5300/2026**

**[Arising out of impugned final judgment and order
dated 26-02-2026 in CRMBA No.15310/2025 passed by
the High Court of Judicature at Allahabad]**

SURAJ PASWAN

PETITIONER(S)

VERSUS

STATE OF UTTAR PRADESH

RESPONDENT(S)

FOR ADMISSION

IA No.90959/2026 - EXEMPTION FROM FILING O.T.

**Date : 29-04-2026 This matter was called on for
hearing today.**

CORAM :

HON'BLE MR. JUSTICE SANJAY KAROL

HON'BLE MR. JUSTICE NONGMEIKAPAM KOTISWAR SINGH

**For Petitioner(s) :Mr. Vikas Upadhyay, AOR
Ms. Ankita Kashyap, Adv.
Mr. Ranveer Singh, Adv.
Mr. Shiva Narang, Adv.**

**For Respondent(s) :Mrs. Rachna Gupta, AOR
Mr. Anil Kumar Sinha, 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.**
- 3. Pending application(s), if any, shall stand disposed of.**

**(SOURAV PAL)
SENIOR PERSONAL ASSISTANT**

**(ANU BHALLA)
COURT MASTER (NSH)**