

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.2473 OF 2026
(Arising out of S.L.P.(Criminal) No.8664 of 2026)

SUBODH YADAV ... APPELLANT(S)

VS.

STATE OF JHARKHAND ... RESPONDENT(S)

O R D E R

1. Leave granted.
2. Heard the learned counsel appearing for the parties.
3. The present appeal calls in question the correctness of the order dated 30th March, 2026 passed by the High Court of Jharkhand at Ranchi in Criminal Appeal (SJ) No.157 of 2026.
4. By the said order, the High Court on the ground that the appellant did not surrender within the stipulated time i.e. on or before 23rd February, 2026 directed the appellant to surrender within a week before the Trial Court. The High Court has also stated that if the surrender is not made, the appeal will stand dismissed without further reference to the Bench.
5. Being aggrieved, the appellant is before us in the present appeal.

6. Brief facts of the case are that the appellant was found guilty by the Special Judge (SC/ST Act), Godda, Jharkhand by judgment dated 24th January, 2026 for offences punishable under Sections 341, 323 and 504 of the Indian Penal Code, 1860 (for short, "IPC") and Sections 3(1)(r) and 3(1)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (for short, "SC/ST Act") and the appellant was sentenced to 15 days' simple imprisonment, six months' rigorous imprisonment and further six months rigorous imprisonment for offences under Sections 341, 323 and 504 of IPC respectively and one year rigorous imprisonment and a fine of Rs.5,000/- for each of the offence under Section 3(1)(r) and 3(1)(s) of the SC/ST Act. Appropriate default sentences were also imposed.

7. On the same day, the appellant moved an application under Section 389 of the Code of Criminal Procedure, 1973 for suspension of sentence and interim bail. The Trial Court by its order dated 24th January, 2026 granted suspension of sentence for 30 days from 24th January, 2026 to file an appeal before the High Court.

8. On 7th February, 2026, an appeal was filed by the appellant before the High Court. According to the appellant, since the case could not be listed and since the time of 30 days was expiring, he approached the lower

Court to get extension of time for further 30 days. The Trial Court by its order of 1st April, 2026 rejected the petition. Since the appeal has already been preferred before the High Court and the time granted of 30 days has already expired, the Trial Court was of the opinion that it had no power to extend the interim bail.

9. In the meantime, the High Court made the impugned order. It is in this circumstance the appellant has approached this Court against the order of the High Court dated 30th March, 2026.

10. The appellant has been sentenced to a maximum of one year rigorous imprisonment. The sentence imposed is a fixed sentence. The appeal is of the year 2026 and is likely to take some time to be heard.

11 When the matter came up before us earlier in the day, we directed the appellant to serve the standing counsel for the State of Jharkhand. In response thereof, Ms. Pragya Baghel, learned standing counsel for the State has appeared before us.

12. Considering the overall facts and circumstances of the case, the appellant is directed to appear before the Trial Court and execute bail bonds to the amount of Rs.10,000/- with two sureties of the like amount. Necessary compliance affidavit be filed before the High Court within a period of two weeks from today.

13. The concession of exemption from surrendering granted to the appellant by this Court vide order dated 4th May, 2026 shall continue till the bail formalities are completed by the appellant.

14. Criminal Appeal (SJ) No.157 of 2026, if peremptorily dismissed, will now stand restored to the file of the High Court of Jharkhand at Ranchi.

15. Till the aforesaid Criminal Appeal is heard on merits, the sentence of the appellant will remain suspended and he will remain on bail as directed by us in the present order.

16. Accordingly, the impugned order is set aside.

17. With the above observations, the appeal is allowed.

.....J.
(K.V.VISWANATHAN)

.....J.
(MANMOHAN)

NEW DELHI;
May 12, 2026

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). 8664/2026

[Arising out of impugned interim order dated 30-03-2026 in CRLA (S.J.) No. 157/2026 passed by the High Court of Jharkhand at Ranchi]

SUBODH YADAV

Petitioner(s)

VERSUS

STATE OF JHARKHAND

Respondent(s)

(IA No. 131072/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 131076/2026 - EXEMPTION FROM FILING O.T.

IA No. 131079/2026 - EXEMPTION FROM SURRENDERING WITHIN TIME)

Date : 12-05-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.V. VISWANATHAN

HON'BLE MR. JUSTICE MANMOHAN

For Petitioner(s) :

Mr. Tejasvi Kumar, Adv.

Mr. Chakma Purnojyoti, Adv.

Mr. R. C. Kaushik, AOR

For Respondent(s) :

Ms. Pragya Baghel, 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.
3. Pending applications shall also stand disposed of.

(ANITA MALHOTRA)
AR-CUM-PS(MANOJ KUMAR)
COURT MASTER

(Signed order is placed on the file.)