



ITEM NO.40                      COURT NO.13                      SECTION II-A

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

CRIMINAL APPEAL    NO(S).    2583-2584/2025

VIJAY CHOUDHARY @ CHHOTU CHOUDHARY                      Appellant(s)

VERSUS

THE STATE OF JHARKHAND                      Respondent(s)

[ONLY SLP. CRL. NO. 6150 OF 2026 IS LISTED UNDER  
THIS ITEM]

WITH

SLP(Crl) No. 6150/2026 (II-A)

IA No. 72511/2026 - EXEMPTION FROM FILING C/C OF  
THE IMPUGNED JUDGMENT, IA No. 72509/2026 -  
EXEMPTION FROM FILING O.T.

Date : 04-05-2026 These appeals were called on for  
hearing today.

CORAM :

HON'BLE MR. JUSTICE MANOJ MISRA  
HON'BLE MR. JUSTICE MANMOHAN

For Appellant(s) :

Mr. Shree Prakash Sinha, Adv.  
Mr. Shekhar Kumar, AOR

Mr. Gautam Jha, AOR  
Mr. Pankaj Kumar, Adv.  
Mr. Sumit Kumar, Adv.  
Mr. Pranav Arya, Adv.

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For Respondent(s) :

Ms. Tulika Mukherjee, AOR  
Mr. Beenu Sharma, Adv.  
Mr. Venkat Narayan, Adv.

UPON hearing the counsel the Court made the following

O R D E R

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1. Leave granted.
2. The submission of the learned counsel for the appellant is that co-accused Vijay Choudhary @ Chhotu Choudhary who has been convicted along with the appellant has separately filed Criminal Appeal Nos.2583-2584/2025 wherein on 20.05.2025 following order was passed:

“Leave has been granted vide order dated 9th May, 2025.

Considering the facts of the case, nature of the evidence and the fact that the appellant has undergone incarceration for a period of about 13 years, the appellant is entitled to relief of suspension of sentence and grant of bail, pending the final disposal of this Appeal.

For that purpose, we

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direct that the appellant shall be produced before the Trial Court within a period of one week from today. The Trial Court shall enlarge the appellant on bail on appropriate terms and conditions till the final disposal of the appeal.

The prayer for interim relief stands disposed of accordingly."

3. It has been submitted that the appellant's case stands on a better footing than the main accused Vijay Choudhary @ Chhotu Choudhary and, therefore, the appellant is also entitled to suspension of sentence pending consideration of his appeal more so for the reason that the appellant has by now served 14 years of sentence.

4. The learned counsel for the State could not dispute that appellant by now has served 14 years of sentence. In such circumstances, we deem it appropriate to direct that the sentence awarded by the Trial Court as affirmed by the High Court qua the appellant shall remain suspended pending

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consideration of this appeal.

5. The appellant shall be released on bail on such terms and conditions as the trial court may deem fit to impose in the facts and circumstances of the case.

6. Learned counsel for the parties submitted that original record has been received. If it is so, the soft copy be shared with the learned counsel for the parties.

7. List the appeal in due course.

(KAVITA PAHUJA)  
ASTT. REGISTRAR-cum-PS

(SAPNA BANSAL)  
COURT MASTER (NSH)