

From,

Registrar General,
High Court of Uttarakhand,
Nainital.

To,

All the District & Sessions Judges,
Principal Judge/Judge Family Courts,
Uttarakhand.

C.L.No. 17 /UHC/Admin-B/v-a-11/2026

Dated: 27 May, 2026

Subject: Circulation of Directions of Hon'ble Supreme Court Regarding Conditions of Bail

Sir/Madam,

On the subject above, I am directed to say that Hon'ble Supreme Court in its order dated 04.05.2026 passed in *Suo Moto Writ Petition* No. 02 of 2026 "*In Re: Condition Being Imposed While Granting Bail By High Court of Orissa and District Courts in the State of Odisha and Ancillary Issues*" has been pleased to observe that certain conditions of bail are against the law, and violative of human rights. The relevant parts of order of Hon'ble Supreme Court are quoted as under for the ready reference:

"3. For instance, the Odisha High Court, in BLAPL No. 2340/2025 in *Kumeswar Naik @ Kumbewar Naik v. State of Odisha*, while granting bail to the petitioner therein, who was accused of offences under Sections 191(2), 191(3), 285, 333, 126(2), 121(2), 132, 109(1), 351(3), 125(a), 326(g), 324(5), 74 and 190 of the Bharatiya Nyaya Sanhita, 2023 (BNS), read with Section 4 of the Prevention of Damage to Public Property Act, 1984 and Section 7 of the Criminal Law (Amendment) Act, 1932, imposed the aforesaid peculiar conditions and observed as follows:

"7. Considering the submissions made on" behalf of both the parties, this Court without going into the merits of the case, directs the court in seisin over the matter to release the present Petitioner on bail in the aforesaid case on some stringent terms and conditions with further conditions that:-

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iv. The Petitioner shall clean the premises of the Kasipur Police Station in the morning hour (between 6.00 A.M to 9.00 AM) for two months from the date of his actual release. In the aforesaid case. The I.I.C of the Kasipur Police Station shall provide the cleaning articles like broom, phenyl and other items to the Petitioner so that he can clean the said premises.”

4. Another similar order was passed by the Additional District and Sessions Judge, Rayagada in BA No. 230 of 2025, in Laxman Naik v. State of Odisha, for offences under Sections 191(2), 191(3), 285, 333, 126(2), 121(2), 132, 109(1), 351(3), 125(a), 326(g), 324(5), 74 and 190 of the BNS, read with Section 4 of the Prevention of Damage to Public Property Act, 1984 and Section 7 of the Criminal Law (Amendment) Act, 1932, wherein, the Sessions Court, following the Odisha High Court’s order, passed the similar conditions to the following effect:

“Let the petitioner namely Laxman Naik be released on bail on furnishing bail bond of Rs.50.000/- (Fifty Thousand) with two solvent sureties each of the like amount to the satisfaction of learned JMFC, Kashipur with further conditions that-

iv. He shall clean the premises of the Kashipur Police Station in the morning hour (between 6 am to 9 am) for two months from the date of his actual release in the aforesaid case. The IIC. Kashipur PS shall provide the cleaning articles like broom, phenyl and other items to the petitioner so that he can clean the said premises.”

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10. While we need not burden this order with numerous precedents, which are already in the public domain, we are however deeply disappointed and disheartened, and express our strongest disapproval of the manner in which the Odisha state judiciary has, in effect, regressed to a colonial mindset by imposing such onerous, degrading, and humiliating conditions, which are *ex facie* violative of human rights. Such conditions, far from advancing the cause of justice, strike at the dignity of the accused and proceed on the premise of their guilt, which is totally impermissible in law.

11. We, accordingly, declare such conditions, as reproduced in paragraphs 3 and 4 or any other similarly worded conditions imposed by the state judiciary while granting bail, null and void. We deem it appropriate to issue an omnibus direction to all courts across the State of Odisha to forthwith delete such or similar offending conditions from bail orders and to refrain from substituting them with any analogous requirements. The accused persons shall continue to remain on bail, unencumbered by these impermissible conditions, and shall be deemed to have been relieved of the same. Ordered accordingly.

12. Given these extenuating circumstances, we are of the considered view that no other State Judiciary also ought to be exposed to or replicate such caste-coloured and oppressive conditions, which have the potential to generate serious social friction. We therefore deem it appropriate to direct the Registry of this Court to circulate a copy of this order to all High Courts across the country through their Registrar Generals. Each High Court shall, in turn, ensure that a copy of this order is served on every judicial officer within its jurisdiction, accompanied by a clear communication that such conditions shall not be imposed while granting bail under any circumstances.”

2. In view of the above, and in compliance of directions of the Hon’ble Supreme Court, I am directed to circulate the order of Hon’ble Supreme Court with the directions that the conditions of bail, as found by Hon’ble Supreme Court in aforesaid matter or similar conditions, in no circumstance, shall be imposed by the Judicial Officers, while granting the bail.

Encl: *As above*

Yours sincerely

Sd/-
(Yogesh Kumar Gupta)
Registrar General

No. 3783 /UHC/Admin-B/v-a-11/2026

Dated: 27 May, 2026

Copy for information and necessary action to :-

- (i) P.P.S. to Hon’ble the Chief Justice for placing it before His Lordship’s Kind perusal.
- (ii) P.S./P.A.s to Hon’ble Judges for placing it before His Lordship’s Kind perusal.
- (iii) P.A. to Registrar General.

- (iv) All the Registrars of the Hon'ble Court.
- (v) Secretary, High Court Legal Services Committee.
- (vi) Joint Registrar (IT)/CPC of the Hon'ble Court.
- (vii) All the Joint Registrar/Deputy Registrar/Assistant Registrars/Section Officers of the Hon'ble Court.
- (viii) Director, Uttarakhand Judicial & Legal Academy, Bhowali, Nainital.

- (ix) Principal Secretary, Law-cum-LR, Dehradun.
- (x) Principal Judges/Judges Family Court, Uttarakhand.
- (xi) Chairman, Commercial Tax Tribunal, Dehradun.
- (xii) Chairman, State Transport Appellate Tribunal, Dehradun.
- (xiii) Registrar, State Consumer Redressal Commission, Dehradun.
- (xiv) Member Secretary, Uttarakhand State Legal Services Authority, Nainital.
- (xv) Presiding Officer, Industrial Tribunal-cum-Labour Court, Haldwani, District Nainital.
- (xvi) Presiding Officer, Labour Courts, Dehradun, Haridwar & Kashipur, District Udham Singh Nagar.
- (xvii) Presiding Officer, Food Safety Appellate Tribunal, Dehradun & Haldwani.
- (xviii) Registrar, Public Service Tribunal, Uttarakhand, Dehradun.
- (xix) Secretary-cum-Registrar, State Level Police Complaint Authority, Dehradun.
- (xx) Chairman, Permanent Lok Adalat, Dehradun, Haridwar, Nainital and Udham Singh Nagar.
- (xxi) Deputy Registrar (IT) of the Hon'ble Court with a request to upload the same on the website of the High Court of Uttarakhand.
- (xxii) Guard File.

Registrar (Judicial)