**OFFICE OF THE PRINCIPAL DISTRICT & SESSIONS JUDGE,**
**NEW DELHI DISTRICT, PATIALA HOUSE COURTS, NEW DELHI**

**CIRCULAR**

In compliance of the directions of the Ld. Principal District & Sessions Judge, New Delhi District, PHC, New Delhi, regarding circulation of Order dated 04-05-2026 passed by the Hon'ble Supreme Court of India in Suo Moto Writ Petition (Criminal) No.(S)-02/2026 titled " 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 uploaded on the official website i.e. newdelhi.dcourts.gov.in.

***It is also directed by the Ld. Principal District & Sessions Judge, New Delhi District, PHC that all the judicial officers take notice that such conditions, as referred to in the afresaid order, shall not be imposed while granting bail under any circumstances.***

Therefore, it is requested to kindly peruse the abovesaid record of proceedings from the official website for kind information & necessary compliance.

5/6/2026

**(Deepali Sharma )**
Officer-in Charge, General Branch
District Judge, Commericial Court -03
New Delhi District, PHC, New Delhi.

No. 1941 -1946 /Genl./NDD/PHC/2026 Dated, Delhi the 6/6/2026

Copy to :-

1. The Ld. Registrar General Hon'ble High Court of Delhi, New Delhi for information.
2. All the Ld. Judicial Officers at PHC, New Delhi.
3. Ld. Officer-in Charge, Computer Branch, PHC, New Delhi with the request to direct the concerned official to upload the same on the website of New Delhi District Courts as per rules.
4. P.S to the Ld. Principal District & Sessions Judge, NDD, PHC, New Delhi for information.
5. Administrative Officer (Judicial), PHC, to circulate the aforesaid judgment through WhatsApp. Group of Ld. Judicial Officers of New Delhi District.
6. Dealing Assistant, R & I Branch for uploading the same on LAYERS.

5/6/2026

Officer-in Charge, General Branch
District Judge, Commericial Court -03

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

**SUO MOTO WRIT PETITION(CRIMINAL) No(s). 2/2026**

**IN RE: CONDITION BEING IMPOSED WHILE GRANTING BAIL BY HIGH COURT OF ORISSA AND DISTRICT COURTS IN THE STATE OF ODISHA AND ANCILLARY ISSUES**

**O R D E R**

1. The instant controversy originates from prolonged protests that began in 2023 by expropriated landowners and settlers whose lands have been or are proposed to be acquired by the Vedanta Group for a bauxite mining project in the Rayagada and Kalahandi districts of Odisha. These protests, largely led by members of Adivasi and Dalit communities, are alleged to have intermittently turned violent. It is further alleged that some protestors engaged in anti-mining demonstrations and attacked Vedanta officials using axes and bows. This escalation led to the criminalisation of the protests, resulting in the registration of multiple FIRs against the demonstrators.

2. We are, however, in the present case not concerned with the legality of the land acquisition or the veracity of the FIRs registered. The relevant development is that forty such individuals were arrested, and while some were subsequently granted bail by the Trial Courts as well as the High Court of Orissa (in short, "Odisha High Court"), the relief of bail was granted subject to a range of conditions. Notably, these conditions included an unprecedented and rather odious requirement that the accused person(s) must undertake the cleaning of Police Stations for a period of two months or so.

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:-***
>
> ***xxxxx***
>
> ***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, phenvl and other items to the Petitioner so that he can clean the said premises."***
>
> **[Emphasis supplied]**

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-***

***xxxx***

> ***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, phenvl and other items to the petitioner so that he can clean the said premises."***
>
> **[Emphasis supplied]**

**5. There are statedly at least six more such orders that have been passed by Trial Courts in Odisha during the period between May 2025 and January 2026, imposing similar unpalatable conditions. It has been widely reported that such conditions reflect an underlying, *albeit* unarticulated, bias of the Odisha State Judiciary, premised on the perception that the accused individuals, belonging to marginalised Adivasi communities and, therefore, it may be justified to subject then to such burdensome requirements. This unfortunate condition, in fact, is founded upon the presumption of guilt of the accused, as in a way, a nature of sentence has been awarded to them.**

**6. There thus seems to be some force in the reportage and, as rightly submitted by the learned Advocate General, State of Odisha and some of the counsel, who are representing the other accused in similar matters that no such conditions are being imposed by the state judiciary while granting bail to the accused, including those from the privileged sections of the society. Assuming that such conditions were imposed inadvertently or without any premeditated bias, the nature of the condition is so abhorrent, degrading, and unknown to law that it carries the potential to cast a serious aspersion, suggesting that the Odisha Judiciary is afflicted by a caste-based bias.**

**7. In a country as deeply diverse as ours, constitutional philosophy is anchored in the promise of equality and dignity**

**for all. The most invaluable gift that the people of India gave unto themselves through the Constitution was the vision of a casteless society founded upon the principle of substantive equality. Article 17 unequivocally dismantles the practice of untouchability and the barriers of caste, while Articles 14, 15 and 16 collectively advance this vision by guaranteeing equality before the law and enabling affirmative measures to ensure equal opportunity in every sphere of life.**

**8. The Judiciary, as the sentinel on the *qui vive*, is entrusted with the solemn duty of safeguarding these constitutional guarantees and is expected to zealously protect those who are most vulnerable to their violation. Over the course of seventy-five years of constitutional journey, the judiciary has transformed the principle of equality into a potent instrument in the hands of citizens, ensuring that even the might of the State cannot transgress fundamental rights with impunity.**

**9. This is the institution that has truly fashioned the sheet anchor of equality through its constitutional jurisprudence. In *E.P. Royappa v. State of Tamil Nadu*,[1] this Court enunciated the foundational principle that equality is antithetical to arbitrariness. Similarly, in *Maneka Gandhi v. Union of India*,[2] this Court laid down that the procedure established by law must be just, fair, and reasonable, thereby infusing substantive due process into the constitutional framework. There have been a plethora of decisions that have given further colour to Article 14, furthering its dynamic and expansive nature.**

**10. While we need not burden this order with numerous precedents, which are already in the public domain, we are however deeply**

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1 AIR 1974 SC 555.
2 1978 AIR 597.

**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.**

13. **The Registrar General of the Odisha High Court is directed to file a compliance report in accordance with the directions issued hereinabove within a period of four weeks.**

**14. The petition stands disposed of accordingly.**

**15. List on 11.05.2026 for compliance only.**

**.....CJI**
**(SURYA KANT)**

**.....J.**
**(JOYMALYA BAGCHI)**

**NEW DELHI;**
**MAY 04, 2026.**

ITEM NO.61 COURT NO.1 SECTION X

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

SUO MOTO WRIT PETITION(CRIMINAL) No(s). 2/2026

IN RE CONDITION BEING IMPOSED WHILE GRANTING BAIL BY HIGH COURT OF ORISSA AND DISTRICT COURTS IN THE STATE OF ODISHA AND ANCILLARY ISSUES

Date : 04-05-2026 This petition was called on for hearing today.

CORAM : HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE JOYMALYA BAGCHI

By Courts Motion

For Petitioner(s) : Mr. Ram Narayan Mohanty, Adv.
Mr. Rakesh Kumar, Adv.

Mr. Rishav Ranjan, Adv.
Mr. Aman Prasad, Adv.
Mr. Yagyawalkya Singh, AOR

Mr. Pritam Singh, Adv.
Mr. Umesh Kumar Shukla, Adv.
Mr. Pawan Kumar Saxena, Adv.
Mr. Ankit Bhatnagar, Adv.
Mr. Ravi Kumar Mehata, Adv.
Mr. Vishvanath Agarwal, Adv.
Ms. Kiran Bala Agarwal, Adv.

For Respondent(s) : Mr. Pitambar Acharya, AG
Ms. Divya Roy, AOR
Mr. Ruturaj Satpathy, Adv.
Ms. Shailja Singh, Adv.

UPON hearing the counsel the Court made the following

O R D E R

1. The petition stands disposed of in terms of the signed order.

2. List on 11.05.2026 for compliance only.

(NITIN TALREJA)
ASTT. REGISTRAR-cum-PS

(PREETHI DILEEP KUMAR)
ASSISTANT REGISTRAR

(Signed order is placed on the file)