

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

SPECIAL LEAVE PETITION(CRL.) NO(S). 4711 OF 2026

BHANU PRATAP YADAV PETITIONER(S)

VERSUS

STATE OF ODISHA RESPONDENT(S)

O R D E R

1. Heard.
2. The petitioner who is facing prosecution for the allegation of cyber fraud, was granted bail by the High Court of Orissa¹ *vide* order dated 7th March, 2025 passed in Bail Application No. 7435 of 2024.
3. Owing to the stringent conditions imposed by the High Court in the impugned order, the petitioner could arrange for compliances with great difficulty and was released on bail on 16th July, 2025. The petitioner has approached this Court by way of the

¹ Hereinafter, referred to as “High Court”.

present special leave petition seeking modification/relaxation of the stringent conditions imposed in the impugned order. For ready reference, the relevant paragraph of the impugned order is reproduced hereinbelow: -

“10. It is accordingly directed that the petitioner **Bhanu Pratap Yadav** shall be released on bail on such terms and conditions as the learned court in seisin over the matter in C.T. case No. 1630 of 2023 may consider fit and proper, after verifying that he does not have any criminal antecedents, including imposition of appropriate cash surety, keeping in mind the amounts transferred to his two accounts from the accounts of complainant and his wife and the accounts of the co accused, as well as the following conditions:

- (i) One of the sureties shall be a blood relation.
- (ii) The petitioner should not tamper with prosecution evidence or try to influence or threaten witnesses.
- (iii) The petitioner shall not indulge in any criminal activity.
- (iv) The petitioner shall provide the address in Bhubaneswar where he intends to reside after his release and also provide the details of his permanent address along with name of the Police Station to the learned trial Court, so that both addresses can be verified by the I.O. and the latter can establish contact with the Officer in Charge/Station House Officer of the Police Station before the petitioner is released on bail.**

(v) The petitioner shall provide his active mobile number(s) to the learned trial Court, so that the same can be verified by the I.O., before he is released on bail. Any change in the mobile number(s) shall be immediately informed to the Court, by his counsel within two days of the change.

(vi) The petitioner shall not leave the Bhubaneswar U.P.D., without permission of the learned trial Court.

(vii) The petitioner shall surrender his passport in the learned trial Court. In case he does not possess a passport, he shall submit affidavits to that effect.

(viii)(sic) The petitioner shall remain personally present in the learned trial court on each date of trial and co-operate for early disposal of the trial.

(ix)(sic) He shall not seek for adjournment on frivolous grounds.”

[Emphasis supplied]

4. The grievance of the petitioner is *qua* condition Nos. (iv) & (vi) of the bail order as highlighted above.

5. Learned counsel for the petitioner submits that owing to these unreasonable conditions, the petitioner is forced to live in Bhubaneswar without any means of livelihood. He contended that these conditions imposed by the High Court are unjustified, arbitrary and tantamount to denial of freedom of movement and the opportunity to earn

livelihood. He submits that the petitioner undertakes to fully cooperate in the trial. He, thus, implored the Court to relax the aforesaid conditions urging that the petitioner is ready to abide by any other reasonable condition(s) which this Court may impose so as to ensure presence of the petitioner before the trial Court.

6. Learned counsel representing the State of Odisha opposed the submissions advanced by the learned counsel for the petitioner. He urged that the petitioner is facing prosecution for serious charges of cyber fraud. If the impugned conditions are relaxed, there is imminent possibility that the petitioner may abscond and may never return to face trial.

7. Having given our thoughtful consideration to the submissions advanced by learned counsel for the parties, we feel that the petitioner would be put to great difficulty in case the above conditions are maintained. To require the petitioner who is domicile of Uttar Pradesh, to reside in Bhubaneswar, Odisha, for the entire duration of trial without any means of earning livelihood, may force him to indulge in fresh crime because his source of securing vocation would

definitely be constrained. In this background, condition Nos. (iv) and (vi) of the bail order dated 7th March, 2025 passed by the High Court are modified as below: -

- (i) The petitioner shall furnish one surety bond of a person who is a permanent resident of Bhubaneswar. Such surety bond shall be in the amount of Rs. 2 lakhs.
- (ii) The petitioner shall file an undertaking before the trial Court i.e., JMFC (LR and TV), Bhubaneswar, to regularly appear before it on each and every date of hearing unless valid reason is shown for non-appearance which shall be preceded by an appropriate application before the trial Court.
- (iii) The petitioner shall regularly mark attendance on 26th day of each month in the jurisdictional police station where he permanently resides.

8. The special leave petition is disposed of in the aforesaid terms.

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

.....**J.**
(VIKRAM NATH)

.....**J.**
(SANDEEP MEHTA)

NEW DELHI;
APRIL 01, 2026.