

**HIGH COURT OF JUDICATURE AT PATNA**

**CIRCULAR ORDER NO. ....03... OF 2024**

**(In addition to Rule 3A (f) of Chapter XII of Rules of Patna High Court, 1916 and Notice dated 26.09.2022)**

In furtherance to Circular No. 01 of 2024 which has been issued in compliance with the observations made by the Hon'ble Supreme Court of India, vide Judgment dated 19<sup>th</sup> January, 2024 passed in Cr. Appeal No. 303 of 2024 (Kusha Duruka Vrs. The State of Odisha) and in order to make it more explicit the following directions are issued:

- 1) All bail applications (under Section 438 or Section 439 Cr.P.C.) or under any Special Acts such as the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, the Juvenile Justice (Care and Protection of Children) Act, 2015, etc. arising out of the same F.I.R./P.S. Case or registered with any investigation agencies and/or Private/Official complaint (under Section 200 Cr.P.C.) shall invariably be listed before the same Hon'ble Judge who had earlier taken up such application of an accused as mentioned in Para (c) of the said Circular Order No. 01/2024.
- 2) The necessary condition for listing of bail applications before the junior most Hon'ble Judge is in respect of those applications arising out of the same F.I.R./P.S. Case i.e. prior to the aforementioned judgment dated 19.01.2024 passed in Criminal Appeal No. 303 of 2024 (Kusha Duruka Vrs. The State of Odisha) by the Hon'ble Supreme Court, which were earlier taken up by two or more Hon'ble Judges.
- 3) All such subsequent bail application(s) of accused person(s) shall invariably be listed before the same Hon'ble Judge who had earlier taken up the previous applications of such accused person(s) as given in Para (c) of the said Circular Order No. 01/2024.

The aforementioned instructions shall be followed scrupulously henceforth by all concerned and any deviation shall be indicated as defect by the Stamp Reporting Section. Non-compliance of the directions by the Registry shall be viewed seriously.

Dated, the 26 / 04 / 2024  
(Rules Department)

By order of the Court

  
Registrar General

Memo No. 33212-33262 /

Dated 26 / 04 / 2024

**Copy forwarded to the:**

1. Secretary General, Supreme Court of India, New Delhi;
  2. Director, Bihar Judicial Academy, Gai Ghat, Patna;
  3. Member-Secretary, BSLSA, Patna;
  4. Advocate General, Bihar, Patna;
  5. Chairman, Bihar State Bar Council, Patna;
  6. Additional Solicitor General of India for the High Court of Judicature at Patna;
  7. Secretary, Bar Association, Patna;
  8. Secretary, Advocate Association, Patna;
  9. Secretary, Lawyers' Association, Patna;
  10. All the District and Sessions Judges of the State to circulate the same amongst all the Judicial Officers/ Presiding Officer, Tribunals/ Bar Associations functioning within their jurisdiction;
- For information and necessary action.**

  
**Registrar General**

Memo No. 33263 /

Dated: 26 / 04 / 2024

Copy forwarded to the Deputy Registrar (IT) of this Court with a direction to ensure that information regarding private complaints is generated by the system even if no FIR number is assigned. Further, this Circular be uploaded in the official website of the Court.

  
**Registrar General**

Memo No. 33264 /

Dated 26 / 04 / 2024

Copy forwarded to the Additional Chief Secretary to the Government of Bihar in Home Department, Patna for information with a request to circulate the same amongst all other Departments of the State Government for their information and necessary action.

  
**Registrar General**

Memo No. 33265-33358 /

Dated 26 / 04 / 2024

**Copy forwarded to the:**

1. All Officers of the Court;
2. Registrar-cum-Principal Private Secretary to the Hon'ble the Chief Justice;
3. Joint Registrar-cum-APPSs; Deputy Registrar-cum-Senior Secretaries; AR-Cum-Secretaries attached to the Hon'ble Judges of the Court for placing the same before Their Lordships' kind information; #
4. Assistant Registrar-cum-Stamp Reporter and Oath Commissioner;
5. All Section Officers of the Court;
6. All Court Masters of the Court; ##
7. Peskar, Lawzima Court;

**for information and necessary action.**

**# Through I/c P.A. Section**

**## Through I/c Court Master Section**

  
**Registrar General**