Rupesh Deo
Registrar General
High Court of
Judicature at Patna.

रूपेश देव
महानिबंधक,
पटना उच्च न्यायालय,
पटना।

L.R - 2942
27.10.26

Letter No.- 95929-95966 File No.-XI-17-2025/M. Cell-II

Through E-mail

Dated, Patna 17/10/2026

To

All the Principal District & Sessions Judges,
Bihar

Ref- Judgment dated 12.09.2025 passed by Hon'ble Apex Court in Criminal Appeal No. 4004/2025 (Arising out of S.L.P. (Crl.) No. 11128 of 2025) titled 'Anna Waman Bhalerao Vs. The State of Maharashtra' with Criminal Appeal No. 4005 of 2025 (Arising out of S.L.P. (Crl.) No. 11108/2025).

Sir,

Enclosing herewith a copy of Standard Operating Procedure formulated in compliance of Judgment under reference, I am directed to request you to circulate the same with all the Judicial Officers, the DM (Head of the prosecution) and SP/SSP (Head of the investigation)/Nodal Officer and Civil Surgeon of your district for necessary compliance.

This is for your information and needful.

Encl: As stated above

Yours faithfully,

Registrar General

Seen. Circulate amongst all the Ld. Judicial officers of this Judgeship / D.M. Madhubani / SSP, Madhubani / Civil Surgeon Madhubani / Nodal officer for information and ensuring necessary compliance.

P.S. D.J.
27.10.26

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All communications should be addressed to the Registrar by designation and not by name.

THE HIGH COURT OF JUDICATURE AT PATNA

Directions for expeditious disposal of bail applications in compliance of the judgment dated 12.09.2025 passed by the Hon'ble Supreme Court of India in Criminal Appeal No. 4004/2025 titled 'Anna Waman Bhalerao Vs. State of Maharashtra'.

The Hon'ble Supreme Court of India vide judgment dated 12.09.2025 passed in Criminal Appeal No. 4004/2025 titled **'Anna Waman Bhalerao Vs. State of Maharashtra'** has directed all the High Courts to ensure that applications for bail and anticipatory bail pending before them or before the subordinate courts under their jurisdiction are disposed of expeditiously, **preferably within a period of two months from the date of filing**, except in cases where delay is attributable to the parties themselves. The Hon'ble Supreme Court has also directed for prioritizing the matters involving personal liberty and to avoid unnecessary adjournments.

Accordingly, a SOP has been formulated with a view to ensure that bail applications are disposed of expeditiously, which shall be adhered to by all the courts while dealing with bail matters:-

1. In any judgeship, within the state of Bihar, whenever an application for regular or anticipatory bail is to be filed, an advance copy of bail or anticipatory bail application shall be served on the Public Prosecutor/ Additional Public Prosecutor/ District Prosecution Officer, as the case may be.

2. On receipt of the advance copy of the bail or anticipatory bail application, the concerned PP/ APP/ DPO, as the case may be, shall call for the case diary/ status report without waiting for the order of the Court through the Court Officer/ Court Nayab (Nyayalaya), so as to effectively assist the Court during the course of hearing of the bail application.

3. Court Nayab (Nyayalaya) has been deputed in every Court in compliance of Police Order No. 331/2025 read with CID, Bihar Letter No. 121/Prosecution dated 13.02.2025, for ensuring compliance of the orders of the Court and seamless transfer of information and documents required by the Court. Thus, Court Nayab (Nyayalaya) shall be solely responsible to procure the case diary

from the concerned Court Nayab (Police Thana) and for the said purpose he will coordinate with the **PP/ APP/ DPO/ Court Officer/ Court Nayab (Police Thana)** etc. on day-to-day basis regarding the pending bail applications.

4. A whatsapp group of the **PP/ APP/ DPO/ Court Officer/ SHO/ Court Nayab (Nyayalaya)/ Court Nayab (Police Thana)/ Nodal Officer** may be created for the purpose of expediting the production of case diary. It will be preferable if the scanned copy of the case diary is transmitted by the Court Nayab (Police Thana) of the respective police station to the Learned PP/APP/DPO/ Court Nayab (Nyayalaya) by whatsapp or email. The APP shall produce the scanned copy of the case diary in digital form before the concerned Court. The Nodal Officer (Dy. S.P. Level) shall be responsible for ensuring proper coordination amongst the Court Officer/ Court Nayab (Nyayalaya)/ Court Nayab (Police Thana) and the SHO of the concerned Police Station.

5. In such cases, where it is mandatorily required, as per the statute, to issue notice to the victim/ informant like in POCSO/ SC & ST cases at the time of hearing of bail application, the notice shall also be served upon the victim/ informant through the concerned SHO of the Police Station and the service report shall be filed before the Court concerned within a period of 5 days.

6. In such cases, where the Injury Report/Post-Mortem Report is required, the PP/APP/ DPO shall provide the details of the case to the Court Nayab (Nyayalaya), who in turn will be responsible to obtain the same from the CMO/CS of the concerned district/ Primary Health Centre/ Medical College Hospital/ other hospitals within a period of 5 days and ensure production of the same before the concerned Court.

Similarly, in case of requirement of FSL Report by the Court concerned, the PP/APP/DPO shall provide the details of the case to the Court Nayab (Nyayalaya) who shall, in turn, be responsible to obtain the same within a period 5 days and ensure production before the Court concerned.

In the case of failure to make available the Injury Report/Post-Mortem Report by the Court Nayab (Nyayalaya) within a period of 5 days from the date of requisition, the same shall be reported by the PP/APP/DPO to the Court concerned, who shall be free to take appropriate coercive action against the defaulter, for delay in production of the reports in time. The feasibility of

appointing one Nodal Officer by the Health Department in each district for the purpose of coordinating procurement of Injury Report/Post-Mortem Report/ FSL Report; may be explored. The Additional Chief Secretary, Health Department be requested to do the needful in this regard.

7. No adjournment shall be granted on mere asking of Advocates and only in exceptional circumstances, adjournment may be granted in bail matters, after recording of specific reasons for such adjournment by the concerned Court.

8. Learned Principal District and Session Judge shall allocate bail and anticipatory bail application filed before him, amongst the Judicial Officers in an equitable manner (except Special Courts) taking into consideration, the existing workload of a particular Judge and also other factors deemed essential to be considered.

9. Every Court shall submit a monthly statement to the Principal District & Sessions Judge of the concerned judgeship furnishing the details of filing and disposal of bail applications in their Court, which shall be discussed in the monthly officers' meeting and thereafter a consolidated report of the same shall be transmitted by the Learned Principal District & Sessions Judge to the Hon'ble Inspecting Judge of the concerned judgeship. In case of delay of more than 2 months in disposal of bail petition, the concerned presiding officer shall furnish the reasons thereof in the order itself highlighting the reasons for non-disposal within the time specified.

10. The Principal District and Session Judge shall communicate the non-compliance of the orders to the D.M. and S.P. in the DLMC meeting and seek information regarding the action taken against the erring Nayab Courts/I.O.s, who have failed to submit the case dairy/ Injury Report/ Post-Mortem Report/ FSL Report, within the time prescribed.

11. Copy of the SOP be shared with the DM (Head of the prosecution) and SP/ SSP (Head of the investigation)/Nodal Officer of all the districts for information and ensuring necessary compliance.

Additionally, the following suggestions may be implemented for *expeditious disposal of bail applications in the High Court and Civil Courts:-*

1. **Creation of a dedicated bail dashboard:** A dashboard at the District Level as well as High Court level may be created for monitoring the pendency of Bail and Anticipation Bail Applications. The age of each application may be calculated from the date of filing, in conformity with the direction of the Hon'ble Supreme Court. The applications may be automatically categorized as: up to 30 days; 31-60 days; 61-90 days; and above 90 days. The bail matters which are more than 60 days old may be termed as 'aged bail matters' and those above 90 days as "Long Pending Bail Matters."

2. **Software for Priority identification in the listing process:** The regular Bail/Anticipatory Bail Applications approaching or exceeding two months from the date of filing may be identified in the listing software system so that the concerned Hon'ble Bench is able to readily notice the age of such matters. A red flag may be put before such cases so that they can be listed on priority basis.

3. **Identification of the reason for pendency:** In such bail applications, which have remained pending for more than 60 days, the Registry may identify the broad reasons for their pendency, such as: case diary awaited; service awaited; reply/counter of the State awaited; adjournment sought by the petitioner; adjournment sought by the State; matter part-heard; stay order by the higher courts; connected matter pending; order reserved; listing/administrative reason; or any other reason. This would enable the Hon'ble Court to ascertain whether the delay is attributable to the parties or arises from any procedural or administrative cause.

4. **Timeline:** A timeline may be fixed by the Hon'ble Court for conduct of stamp reporting/ notifying defects and curing the same. The entire process should preferably take not more than 72 hours.

5. **Listing:** As far as Hon'ble High Court is concerned, bail matter may be listed before all the Hon'ble Judges sitting singly in moderate numbers for example 5 or 10 cases before every Judge.

6. **Categorization:** The listing and consideration of bail matter can be classified according the nature and gravity of the crime, on the basis of general statutory classifications, on the basis of operational categories like anticipatory bail/ regular bail/ statutory bail etc. and on the basis of categorization under the Special Act.