

IN THE HIGH COURT OF JHARKHAND AT RANCHI

Cr. Appeal (DB) No. 690 of 2004

Ledo Yadav and anohter Appellants

Versus

The State of Jharkhand Respondent

CORAM: HON'BLE MR. JUSTICE D. N. PATEL
HON'BLE MR. JUSTICE P. P. BHATT

For the Appellants: Mr. K.K. Prasad
For the Respondent: Mr. A.P.P.

05/Dated: January, 20, 2014

Per D.N. Patel, J

- 1) This matter has been placed today on board mainly due to a letter received from 2nd Addl. Sessions Judge, Chatra dated 25th November, 2013 and it is stated by the Addl. Sessions Judge that records and proceedings of Sessions Trial No.199 of 2001 may be sent to the learned trial Court, because the absconding accused is now in custody and they are proceeding with the case of the absconding accused in Sessions Trial No.16 of 2005. The Sessions Case Number given for the absconding accused is Sessions Trial No.16 of 2005, whereas, for the other appearing accused, Sessions Trial No.199 of 2001 has been given.
- 2) We, therefore, direct the Registry of this Court to get the paper book prepared with neatly typed copies of depositions of prosecution witnesses and their evidences on record as required under Sections 190 and 191 of the High Court of Jharkhand Rules, 2001 and this exercise will be completed within 15 days and thereafter immediately, the records and proceedings of Sessions Trial No.199 of 2001 will be sent to the learned trial Court.
- 3) We also direct the learned trial Court to return the records and proceedings of Sessions Trial No.199 of 2001 immediately to this Court no sooner did the use of records and proceedings of is over by the learned trial Court.
- 4) We further direct the Registrar General of this Court to send the letter of 2nd Addl. Sessions Judge, Chatra dated 25th November, 2013 before the Hon'ble Chief Justice of this Court mainly for the reason that in the State of Jharkhand, normally whenever an accused is absconding and whenever he is surrendering or arrested, his Sessions Trial Number is normally given by use of word "A" or "B" of the main Sessions Trial

number and in this case, accused Prabhu Yadav was absconding and he was arrested later on and now new case number is given as Sessions Trial No.16 of 2005, whereas in several other cases in the State of Jharkhand, normally they are giving numbers for the appearing accused for example as Sessions Trial No.199 of 2001 and for the absconding accused, they are giving the numbers as Sessions Trial No.199 of 2001(A).

5) It appears that randomly and without any proper guidance, this type of numbers are being given by the trial Court and now there is a dire need of consistency that some guideline may be given to the trial Courts. We have also observed in our earlier orders that there are varieties of method by different Sessions Judge to give numbers which create lot of difficulties in maintaining the data of Criminal Appeals in the High Court. We have also referred to the "Pune method", where there is a core data system and there is a peripheral data system. In Core data system, we have to maintain consistency with all over India for maintaining the record and, therefore, there is a dire need of this State to brought an end forthwith this type of zig-zag system adopted by the Sessions Courts in the State of Jharkhand. There cannot be more than one method in the State of Jharkhand to give the numbers of the Sessions Trials. We have also observed in I.A. No.7625 of 20913 in Cr. Appeal (D.B.) No.778 of 2008 order dated 3rd December, 2013 in paragraphs 6 onwards.

6) We, therefore, direct the Registrar General of this Court to place this order before the Hon'ble Chief Justice for necessary directions/instructions.

(D. N. Patel, J)

(P. P. Bhatt, J)