

ITEM NO.117

COURT NO.6

SECTION IIB

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS  
CRIMINAL APPEAL NO(s). 1502 OF 2004

BADAL MURMU &amp; ORS.

Appellant (s)

VERSUS

STATE OF WEST BENGAL

Respondent(s)

(With appln(s) for permission to place addl. documents on  
record and office report ) )

Date: 01/02/2012

This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ASOK KUMAR GANGULY  
HON'BLE MR. JUSTICE T.S. THAKUR

For Appellant(s)

Ms. Vibha Datta Makhija, Adv.

For Respondent(s)

Mr. Soumitra G. Chaudhary, Adv.  
Mr. Abhijit Sengupta, Adv.  
Mr. B.P. Yadav, Adv.  
Ms. Sampa Sengupta Ray, Adv.

UPON hearing counsel the Court made the following

## O R D E R

We have heard learned counsel for the parties.

There is some confusion in this matter as to whether the appellants are in jail. This Court by an order dated 21.7.2011 appointed Ms. Vibha Datta Makhija, learned counsel as amicus curiae and to take instructions in the matter.

When the matter is called out, Ms. Makhija submits that she is not in a position to enlighten the Court whether the appellants are in jail or not and if so the period they have undergone.

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In that view of the matter, we direct the Superintendent of Police, Burdwan Jail to give a report to this Court urgently within a period of four weeks from date. The said report should be

addressed to the Registrar (Judl.) of this Court. In the said report, Superintendent of Police, Burdwan Jail would disclose the status of the appellants whether they are in jail and if they are in jail, the period of sentence undergone by them.

The Superintendent of Police, Burdwan Jail would get in touch with District Judge, Burdwan in order to provide legal assistance to the persons, who are in jail for praying for remission before the appropriate authority. The report of the Superintendent of Police, Burdwan Jail would also indicate the status in respect of the direction given for legal assistance in this order.

The matter may come up four weeks hence.

(KUSUM SYAL)  
SR.P.A

(PHOOLAN WATI ARORA)  
COURT MASTER