

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Miscellaneous Application No. 344/2024 in CrI.A. No. 630/2024

LAXMAN RAM

Petitioner(s)

VERSUS

STATE OF BIHAR

Respondent(s)

(FOR ADMISSION and IA No.38088/2024-APPROPRIATE ORDERS/DIRECTIONS)

Date : 04-03-2024 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ABHAY S. OKA

HON'BLE MR. JUSTICE UJJAL BHUYAN

For Petitioner(s)

Mr. Smarhar Singh, AOR
Mr. Jai Krishna Singh, Adv.
Mr. Vikas Chopra, Adv.
Ms. Shweta Kumari, Adv.
Mr. Manoj Kumar, Adv.

For Respondent(s)

Mr. Azmat Hayat Amanullah, AOR
Mr. T. G. Shahi, Adv.UPON hearing the counsel the Court made the following
O R D E R

Though the grievance of the applicant/appellant does not survive with the passage of time, the applicant has flagged very important issue.

2. There are number of bail orders which are being passed by this Court which require implementation by the jail authorities. It is the duty of the jail authorities to act upon the orders passed by this Court and to ensure that the accused is produced before the concerned Court in terms of the order of this Court.

3. For the effective communication of the orders granting bail, this Court has created a protocol named as "Faster Cell". The Standard Operating Procedure (SOP) for implementation of Faster Cell has been laid down. The most relevant part of the project is that all orders granting bail are forwarded to all the concerned authorities, such as nodal officers of the States and Union Territories, District Courts and the jail superintendents via e-mail. The orders of this Court granting bail bear digital signature and QR code. SMS is generated immediately after the order is put on the system through Faster Cell.

4. In fact, in clause F of the SOP, the entire procedure is laid down which enables the Jail Superintendents to access to the bail orders. What is required to be done by the Jail Superintendents is the real time updation of their details such as their names and cell phone numbers. The Jail Superintendents keep on changing on account of transfer or for any other reason. Paragraph 29 of clause F of the SOP lays down the procedure to access the secured email created by NIC.

5. We direct the Jail Superintendents of various jails across the country to ensure that the e-mails are accessed in terms of paragraph 29 of Clause F twice a day (in the morning as well as in the evening). By taking a note of the orders, the Jail Authorities must act by

producing the accused before the concerned Courts. In the event, there is any doubt about the genuineness of the orders uploaded through Faster Cell, the jail authorities can always access to the official website of this Court for verification. In fact, on scanning QR code appearing on the order, the website can be accessed where the order will be found.

6. We direct the Registrar (Judicial Listing) to forward relevant part of the SOP, including clause F, to the Member Secretaries of the Legal Services Authorities of all the States/Union Territories who in turn will forward Clause F to all the Jail Superintendents/Authorities in their respective States/Union Territories. In case there is any modification in the SOP, updated SOP shall be forwarded to the Member Secretaries of the State Legal Services Authorities. The Member Secretaries of the State Legal Services Authorities shall call meeting, either physical or virtual, of all Jail Superintendents/Jail Officers in the jail after forwarding the necessary documents and a copy of this order to the Jail Superintendents. In the meeting, the Member Secretary shall emphasize the need to implement this order and to ensure that the orders of this Court granting bail are promptly implemented. It will be appropriate if the Member Secretaries of the Legal Services Authorities continuously monitor the implementation by the Jail Superintendents.

7. The object of the above directions is to ensure that the persons to whom bail is granted are expeditiously released on bail.

8. With the above directions, the application is disposed of.

9. The Registry to forward a copy of this order to the Member Secretaries of all the Legal Services Authorities of the States/Union Territories.

10. Miscellaneous Application stands disposed of.

(ANITA MALHOTRA)
AR-CUM-PS

(AVGV RAMU)
COURT MASTER