

IN THE HIGH COURT OF JHARKHAND AT RANCHI
B.A. No.9985 of 2020

Awdhesh Kumar @ Awadhesh Kumar

.... Petitioner

Versus

The State of Jharkhand

.... Opposite Party

CORAM : HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

Order No.04 Dated- 10.09.2021

The record is put up today as the report is received from the Sessions Judge, Chatra wherein, the learned Judge has submitted the status report of this case.

Vide order dated 30.07.2021, Mr. Rakesh Kumar Singh, learned Sessions Judge, Chatra was directed to submit a report enclosing therewith the copies of the service report of notice/summon issued to each of the witnesses cited in the charge sheet of this case and if the summons have not been served upon the witnesses then he must furnish explanation as to what steps have been taken by him both as the Sessions Judge and in capacity of the Principal District Judge and if the summons/notice has been served upon the witness but they have not turned up for recording of their evidence then Mr. Rakesh Kumar Singh must intimate as to what steps he has taken for ensuring their attendances to be examined as witnesses in the trial.

Mr. Rakesh Kumar Singh, learned Sessions Judge, Chatra was further directed to submit the report as to whether he has made any endeavor to ensure the attendance of the witnesses in the District Monitoring Cell Meeting of the judgeship or has made any endeavor in capacity of the Principal District Judge in any manner for ensuring attendance of the witnesses in the trial, in view of the said order passed in connection with this case by this court to conclude the trial within six months.

In the report submitted by Mr. Rakesh Kumar Singh, Principal District and Sessions Judge, Chatra, none of the information which he was directed to furnish, has been provided by Mr. Rakesh Kumar Singh, Principal District and Sessions Judge, Chatra rather he has submitted the status report of the case

mentioning therein that charge has been framed on 09.08.2021 but not even mentioned to which of the dates the trial has been fixed though he was to fix the trial consecutively for some days so that day to day trial can take place; keeping in view his liability to examine the witnesses per day and number of the witnesses cited in the charge-sheet. The conduct of Mr. Rakesh Kumar Singh, Principal District and Sessions Judge, Chatra is unbecoming of a Sessions Judge and he is directed not to send evasive report as the report submitted by him gives an impression that he is not able to understand the meaning the orders passed by this Court. Hence Mr. Rakesh Kumar Singh, Principal District and Sessions Judge, Chatra is directed to henceforth furnish the definite information asked from him and he is further directed to submit the report enclosing the documents and mentioning the information sought by this Court vide order dated 30.07.2021.

The report must be submitted within four weeks.

List this case after receipt of the report.

(Anil Kumar Choudhary, J.)

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