
(2019) 07 JH CK 0085

In the Jharkhand High Court

Case No : Criminal Appeal (D.B.) No. 198 Of 2001

Balram Pal And others

APPELLANT

Vs

State Of Jharkhand

RESPONDENT

Date of Decision : 02-07-2019

Acts Referred:

Citation : (2019) 07 JH CK 0085

Hon'ble Judges : Shree Chandrashekhar, J;Ratnaker Bhengra, J

Bench : Division Bench

Advocate : Arun Kumar Pandey

Judgement

Today also, no one appears on behalf of the appellants. Mr. Arun Kumar Pandey, the learned APP states that this brief has been assigned to Mr. Asif Khan, the learned APP.

On 18.06.2019, the following order was passed by this Court :

"No one appears on behalf of the appellants.

Mr. Satish Kumar Keshri, the learned A.P.P. states that this matter has been allotted to Mr. Asif Khan, the learned A.P.P.

Let notice indicating the next date of hearing be served through the Officer-in-Charge, Police Station-Ramgarh, District-Dumka upon the appellants namely, (1) Balram Pal, (2) Lakhu @ Bonga Pal, (3) Chonga Pal, all sons of Ramu Pal and (4) Ramu Pal, son of Khudi Ram Pal, all residents of Village-Daro, Police Station-Ramgarh, District-Dumka.

The Registry is directed to hand over copy of the notice for service upon the appellants to the learned A.P.P., for onward transmission.

Additionally, the Registry shall transmit a copy of the order to the Superintendent of Police, Dumka, for compliance.

The Secretary, Jharkhand High Court Legal Services Committee shall ascertain

through Para Legal Volunteers whether the appellants want legal aid.

Let a complete set of the paper-book be served upon the learned counsel for the appellants, if he appears and the learned A.P.P., if already not supplied.

The Registry shall place on record a neatly typed copy of deposition of the witnesses.

Post the matter on 02.07.2019 under the heading "For Orders".

Let a copy of the order be given to the learned A.P.P. and the Secretary, Jharkhand High Court Legal Services Committee, for compliance."

Pursuant to order dated 18.06.2019, a report has been received from the Officer-in-Charge, P.S Ramgarh. It is stated that the appellants namely, Balram Pal and Ramu Pal have died. The Officer-in-Charge has obtained death certificate from the Ward Member of the Gram Panchayat.

A report from the Secretary, Jharkhand High Court Legal Services Committee has also been received. It is stated that the appellants namely, Lukhu Pal @ Bonga Pal and Chonga Pal have desired for legal aid.

Let an affidavit be filed by the Officer-in-Charge, P.S Ramgarh on death of the appellant no. 1 namely, Balram Pal. and the appellant no. 4 namely, Ramu Pal.

This criminal appeal was filed in the year, 2001.

In the above facts, reserving a right in the appellants to engage a counsel of their own choice, Mr. Lalit Kumar Singh, the learned counsel is appointed as Amicus to argue the criminal appeal on behalf of the surviving appellants.

The learned APP shall obtain a report from the concerned Jail Superintendent on period of custody of the appellants.

The Secretary, Jharkhand High Court Legal Services Committee shall reimburse the learned Amicus on submission of bills.

Fee for the learned Amicus shall be fixed on disposal of the appeal.

Let the name of Mr. Lalit Kumar Singh, the learned Amicus appear in the cause-list.

Let a complete set of the paper-book be served upon the learned Amicus and the learned APP, if already not supplied.

Post the matter on 22.07.2019 under the heading "For Orders".

Let a copy of the order be given to the learned APP, the learned Amicus and the Secretary, Jharkhand High Court Legal Services Committee.