

THE HIGH COURT OF ORISSA, CUTTACK

STANDING ORDER NO.1 OF 2024

(In addition to Standing Order No(s).1 of 2020 and 2 of 2023)

Pursuant to the observations made by the Hon'ble Supreme Court of India in Judgement dated 19th January, 2024 passed in Criminal Appeal No.303 of 2024 (Kusha Duruka Vrs. The State of Odisha) arising out of SLP (Crl.) No.12301 of 2023, the Hon'ble High Court of Orissa has been pleased to issue the following instructions in the matter of filing and hearing of the bail applications U/s. 438 & 439 of Cr.P.C. arising out of the same F.I.R.

1. Instructions for learned counsel/parties

The following details shall mandatorily be mentioned in the application(s) filed for grant of bail U/s. 438 & 439 of Cr.P.C. arising out of the same F.I.R.;

- (a) Details and copies of order(s) passed in the earlier bail application(s) filed by the petitioner which have been already decided.
- (b) Details of any bail application(s) filed by the petitioner, which is pending either in any court, below the court in question or the higher court, and if none is pending, a clear statement to that effect has to be made.
- (c) Details of the bail application whether it is first, second or third and so on, below the cause title (in bold letters), for convenience of the court to appreciate the arguments in that light and enables the next higher court to appreciate the arguments later.

2. Instructions for Registry

The Registry of the court shall annex a report generated from the system about decided or pending bail application(s) in the crime case in

question. The same system shall be followed even in the case of private complaints where no FIR number is there.

The aforementioned instructions shall be followed scrupulously henceforth by all concerned and any deviation shall be indicated as defect by the Stamp Reporting Section. Noncompliance of the instructions by the Registry shall be viewed seriously.

**By Order of
Hon'ble the Chief Justice**


REGISTRAR (JUDICIAL)

Dated, the 15th February, 2024
[ADMINISTRATIVE DEPTT.]

Memo No. 2631 (62) / Dated: 15.02.2024
(XI-04/2023)

Copy forwarded to the:

1. Secretary General, Supreme Court of India, New Delhi;
2. Registrar Generals of all High Courts;
3. Director, Odisha Judicial Academy, Cuttack;
4. Member-Secretary, OSLSA, Cuttack;
5. Advocate General, Odisha, Cuttack;
6. Chairman, Odisha State Bar Council, Cuttack;
7. Deputy Solicitor General of India for the High Court of Orissa;
8. Secretary, High Court Bar Association, Cuttack;
9. Dist. & Sessions Judge,..... (All) to circulate the same amongst all the Judicial Officers/ P.O, Tribunals/ Bar Associations functioning within their jurisdiction;
for information and necessary action.


Special Officer (Special Cell)

Memo No. 2632 / Dated: 15.02.2024

Copy forwarded to the Central Project Coordinator of the Court with a request to ensure that information regarding private complaints is generated by the system even if no FIR number is assigned.


Special Officer (Special Cell)

Memo No. 2633 / Dated: 15.02.2024

Copy forwarded to the Additional Chief Secretary to Govt. of Odisha in Home Deptt., Bhubaneswar for information with a request to circulate the same amongst all other Departments of the State Govt. for their information and necessary action.


Special Officer (Special Cell)

Memo No. 2634 (150) / Dated: 15.02.2024

Copy forwarded to the:

1. All Officers of the Court;
 2. Addl. Registrar-cum-Principal Secretary to Hon'ble the Chief Justice;
 3. Joint Registrar-cum-Principal Secretary/ ADR-cum-Addl. Principal Secretaries/AR-cum-Sr. Secretaries/ Secretaries attached to the Hon'ble Judges of the Court for placing the same before Their Lordships' kind information;
 4. Asst. Registrar-cum- Stamp Reporter & Oath Commissioner;
 5. All Asst. Registrar-cum- Additional Stamp Reporter & Oath Commissioner;
 6. All Superintendents/ Section Officers of the Court;
 7. All Court Masters of the Court;
 8. Peskar, Lawzima Court;
- for information and necessary action.


Special Officer (Special Cell)

Memo No. 2635 / Dated: 15.02.2024

Copy forwarded to the Superintendent, Computer Section with an instruction to upload the same in the official website of the Court.


Special Officer (Special Cell)