

IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P.(PIL) No. 2696 of 2021

Court on its own motion

Versus

The State of Jharkhand through
the Chief Secretary & Others

... **Respondents**

CORAM : **HON'BLE THE CHIEF JUSTICE**
 HON'BLE MR. JUSTICE SUJIT NARAYAN PRASAD

For the State : Ms. Darshana Poddar Mishra, A.A.G. I
 Mr. Piyush Chitresh, A.C to A.G.

For the U.O.I. : Mr. Rajiv Sinha, A.S.G.I.

For the Victim Family: Mr. Prabhat Kumar Sinha, Adv

ORAL ORDER

05/Dated 19th August, 2021

The matter has been taken up through video conferencing.

2. Investigating Officer of the case is present before this Court through on-line mode.

3. The progress report of the case pertaining to death of Late Uttam Anand, District & Additional Sessions Judge, VIII (the then was) has been submitted in a sealed covered.

4. We have perused the progress report submitted by the Investigating Officer.

5. We, after going through the progress report, have found therefrom that statement has been made by the investigating officer with respect to Forensic Science

Laboratory, Ranchi stating therein that due to non-availability of the testing facility of urine and blood, the sample of urine and blood of accused persons have been returned and thereafter it has been sent to F.S.L., New Delhi.

We have consider it very seriously that when the urine and blood testing facility of the accused is not available in the F.S.L., Ranchi, the capital of the State of Jharkhand then for what purpose this department of State is functioning. Even after more than twenty years from the date of its creation, the State F.S.L., Ranchi appears to be still in primitive stage.

We, therefore, deem it fit and proper to call upon the Principal Secretary, Home, Prison & Disaster Management, Govt. of Jharkhand and Director, F.S.L. on the next date of hearing through On-line mode.

We have also considered the statement made at paragraph 9 of the aforesaid progress report whereby it has been informed to this Court that Late Uttam Anand was brought to the Hospital at about 5.30 a.m. while he breathed his last at 9.00 a.m. and thereafter at 11.45 a.m. information was given to police.

In view thereof, learned State counsel is directed to apprise this Court as to why was such type of negligence by the doctor or the hospital management and/or by the

police authorities and what action has been taken against them.

6. The affidavits have been filed by the State pertaining to security arrangements made in the judgeship as also residential premises of the Judicial Officers at Dhanbad as also of other judgeships of the State.

It has been informed by learned A.S.G.I. that the Hon'ble Supreme Court is in *seisin* of the matter pertaining to security of the Judicial Officers of the entire country and all the States are party in that case. Therefore, we are restraining ourselves from passing any order with respect to security arrangements of the judgeships of State of Jharkhand.

However, since a judicial officer of the Judgeship at Dhanbad has died in suspicious circumstances, in order to boost up the morale of the officers of the judgeship at Dhanbad, we have directed the competent authority of the State of Jharkhand to make adequate security arrangement and pursuance thereto the aforesaid affidavits have been filed by the State.

The aforesaid affidavit(s) shall be considered on the next date of hearing.

7. Put up this case on 27th August, 2021.

8. Let the progress report be kept in safe custody of the learned Registrar General, High Court of Jharkhand to be produced on the next date of hearing.

9. On the next date of hearing the Investigating Officer of the case as also the Principal Secretary, Home, Prison & Disaster Management, Govt. of Jharkhand and Director, F.S.L. shall appear before this Court through On-line mode.

(Dr. Ravi Ranjan, C.J.)

(Sujit Narayan Prasad, J.)

Alankar/-