PATNA HIGH COURT

NOTICE

This is for information to all concerned that the Criminal Court Rules is being drafted afresh in light of the three new criminal laws. Preliminary, Part- I, III and IV of the draft Rules is being hereby published on the official website of the Court for information to all the stakeholders.

All the stakeholders are invited to examine the draft Rules and submit their suggestions, if any, within two weeks. Suggestions may be sent through e-mail at admrules-hcpat-bih@gov.in.

By Order

Dated, Patna the 25th June, 2026
Adm. (Rules) Department

Registrar General

CRIMINAL COURT RULES OF THE HIGH COURT OF JUDICATURE AT PATNA

INDEX

S.NO	PARTICULARS	PAGE NUMBER
1.	List of Laws, Acts, Judgments, Circulars taken into consideration	3-4
2.	Preliminary	5-17
3.	Part-I General Rules Regarding Practice and Procedure	17-337
4.	Part-III	338-483
5.	Part-IV	484-507

LAWS, ACTS, JUDGMENTS, CIRCULARS TAKEN INTO CONSIDERATION: -

Serial Number	Particulars
1.	Bharatiya Nagarik Suraksha Sanhita,2023
2.	Bharatiya Nyaya Sanhita,2023
3.	The Mental Health Care Act, 2017
4.	Rights of Persons with Disabilities Act, 2016
5.	The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989
6.	The Protection of Children from Sexual Offences (POCSO) Act, 2012
7.	The Juvenile Justice (Care and Protection of Children) Act, 2015
8.	The Narcotic Drugs and Psychotropic Substances, 1985
9.	Victim Compensation
10.	Vulnerable Witnesses
11.	Criminal Court Rules of Practice, Kerala, 1982
12.	High Court Rules of Madras High Court
13.	High Court Rules of Jharkhand High Court
14.	High Court Rules of Delhi High Court
15.	High Court Rules of Punjab and Haryana High Court
16.	High Court Rules of Madhya Pradesh High Court
17.	Trial in absentia

18.	Bombay High Court electronic processes rules.
19.	Maharashtra Esakshya Management Rules
20.	Guidelines on recording evidence of vulnerable witness.
21.	Guidelines on medical examination of rape victims.
22.	Patna High Court Circulars provided.
23.	Maharashtra Witness Protection Rules
24.	Bharatiya Sakshya Adhiniyam, 2023
25.	The Protection of Children from Sexual Offences (POCSO) Rules, 2020
26.	The Juvenile Justice (Care and Protection of Children) Rules, 2016

Existing Rule	Proposed Rule	Reference of: - Proposed Amendment
PRELIMINARY **(RULE 1 TO 11)**		
Rule 1: - **COURT HOURS AND VC APPEARANCE: -** The Court Hours Shall Ordinarily be from 10:30 AM to 04:30 PM. standard time.	**<u>Rule 1 : Court hours and summer arrangements:</u>** The Court hours shall ordinarily be from 10:30 A.M. to 1:30 P.M. and from 2:00 P.M. to 4:30 P.M Indian Standard time, with a recess of half an hour, ensuring at least five hours of working each day Morning Courts: With the prior sanction of the High Court, and after consultation with the Bar Association, the District Judge may direct that courts shall sit in the morning hours from 7:00 A.M. to 12:30 P.M. or 7:30 A.M. to 1:00 P.M. , with a half-hour recess, ensuring at least five hours of work each day. Video Conferencing (Circular 02/2024, para 2.1): In exceptional cases where the in-person appearance of a government official or a witness is required, the court shall, as a first option, allow the person to appear	The proposed amendment is made in light of Letter No. 26505/26541 / File No. IV (PF) – 226-2008 A.D. (Misc.) Section dated 26th April 2023, Circular 02/2024, para 2.1 & 2.2(VC as first option; invitation link), Section 346(1) BNSS (day-to-day trial).

	through video conferencing. The invitation link for VC appearance shall be sent by the Registry to the official or witness at least seven days in advance (Circular 02/2024, para 2.2).	
Rule 2: - **DUTY OF SESSIONS JUDGE AND MAGISTRATE TO SIT PUNCTUALLY: -** Every Sessions Judge and Magistrate shall sit daily and punctually at the hour appointed for the opening of his court unless prevented by circumstances which are to be recorded in the Court's Diary [Form no. (R) 6]."	**<u>Rule 2 :- Punctuality and Hybrid Settings</u>** **(A) Sitting place (Section 8(6) BNSS):** The Court of Session shall ordinarily hold its sitting at such place or places as the High Court may by notification specify. If the Court is of opinion that it will tend to the general convenience of the parties and witnesses to hold its sittings at any other place in the sessions division, it may, with the consent of the prosecution and the accused, sit at that place for the disposal of the case or the examination of any witness. **(B) Punctuality and accountability:** Every Sessions Judge, Magistrate, and judicial officer presiding over a criminal court shall sit daily and punctually at the hour appointed. If prevented, the reasons shall be recorded in the Court's Diary and reported to the District Judge within 24 hours. If the court is unable to function for more than one hour due to absence or delay, the lost time shall be compensated by sitting beyond ordinary hours or on a Saturday, as directed by the District Judge. The punctuality and attendance	Addition of Sitting Place is proposed in accordance with Section 8(6) of BNSS, 2023, Circular 02/2024, paras 3.2, 3.3, 3.4, 3.5; Rule 5 of Madras Criminal Rules of Practice, 2019(compensation of lost time); High Court Letter No. 12449-12486, dated 22.02.2024 (ACR).

	records of judicial officers shall form part of their annual confidential reports. **(C) Conduct of officials appearing**:- (Circular 02/2024, paras 3.2–3.5): Any government official appearing before the court shall not be required to stand throughout the hearing; standing shall be required only when the official is responding to or making statements. The court shall avoid oral remarks that may humiliate any official, and shall not comment on the physical appearance, educational background, or social standing of the official.	
Rule 3: - **MAINTENANCE OF COURT DIARY: -** A diary in the prescribed form shall be kept by every Criminal Court. Each case fixed for any day shall be entered in advance immediately upon a date or adjourned date being fixed.	**<u>Rule 3 : Digital Court Diary and ICJS Logging :-</u>** **(A) Electronic Diary:** Every Criminal Court shall maintain a diary in electronic format (or physical where infrastructure is unavailable). Integrated with the Inter-Operable Criminal Justice System (ICJS) for real-time monitoring (Mir Usman, para 37(1)) . **(B) Contents:**	The Proposed Amendment aligns with Section 61 of BSA, 2023, Section 193, 176 and 230 of BNSS. Mir Usman v. CBI (2025) SCC OnLine SC 1250, para 37(1)–(7) ; Circular 06/2025 (same directions issued to district judiciaries); Section 346 BNSS; Rule 36 of Kerala Criminal Rules of Practice, 1982; Rule 73 of Jharkhand Criminal Court Rules.

[G.L. 4/55.] Note—This diary should also be utilized for the purpose of showing what work, if any, other than judicial work has been performed during the day by the officers maintaining it (vide also rule 106, Chapter VI of the Board's Miscellaneous Rules, 1958).	The diary shall contain: case number and title, names of parties and advocates, nature of proceedings, time of commencement and conclusion of hearing, orders passed with reasons for adjournment (if any), the party on whose behalf adjournment is sought, and remarks regarding disposal or next hearing date. **(C) E-filing :-** For the purpose of electronic filing (e-filing) and processing urgent bail/remand matters, the Digital Registry shall remain accessible 24/7 as per the High Court's E-Filing Rules. **(D) Day-to-Day Trial Mandate (Mir Usman v. CBI,** para 37 – all seven directions which are :-): **I.** The proceedings in every inquiry or trial shall be held expeditiously. **II.** When the stage of examination of witnesses starts, such examination shall be continued from day-to-day until all witnesses in attendance have been examined, except for special reasons to be recorded in writing.	Patna High Court Draft Amended Guidelines for Recording Evidence of Vulnerable Witnesses, 2025/2026 — identification of vulnerable witnesses, special measures, vulnerable witness deposition facilities, support person, interpreter, translator, special educator, privacy/confidentiality safeguards, case progress information and protection from secondary victimisation. Witness Protection Scheme, 2018. Bihar Victim Compensation Scheme, 2019. Rights of Persons with Disabilities Act, 2016, Section 12. Protection of Children from Sexual Offences Act, 2012.

	III. When witnesses are in attendance before the Court, no adjournment or postponement shall be granted without examining them, except for special reasons to be recorded in writing. **IV.** The Court shall not grant adjournment to suit the convenience of the advocate concerned except on very exceptional grounds like bereavement in the family, duly supported by a memo. **V.** In case of non-cooperation of the accused or his counsel, the Court may: (a) if the accused is on bail, put him on notice to show cause why bail should not be cancelled; (b) appoint an amicus curiae for the accused; (c) impose costs commensurate with the loss suffered by the witness; (d) cancel bail if the accused is absent and the witness is present. **VI.** The Presiding Officer shall frame a schedule of constructive working days for examination of witnesses in each case, well in advance, after ascertaining the convenience of counsel on both sides.	

	VII. The summons or process may be handed over to the Public Prosecutor in-charge of the case to cause service on witnesses as per the schedule fixed by the Court. **(E) Non-judicial work:** The diary shall also record all non-judicial work performed by the judicial officer during court hours (administrative duties, inspection of subordinate courts, training programs attended). **(F) Judicial Work :-** The Diary shall log the performance of judicial work and statutory timelines, including the filing of the Police Report and the supply of copies. (Section 193 and 230 of BNSS) . It shall also track the status of forensic examinations required under Section 176 BNSS. The diary shall also record, wherever applicable, whether a child, victim of sexual offence, vulnerable witness, protected witness, person with disability or person under threat perception has been identified; whether any special measure has been ordered; whether a support person, interpreter,	

	translator, special educator, sign-language interpreter or para-legal volunteer has been permitted; whether vulnerable witness deposition facility or audio-video electronic means is to be used; whether witness protection, identity protection, non-disclosure, compensation, legal aid, shelter/crisis support or other assistance has been considered or directed; and whether the victim or witness has been informed of case progress or decisions affecting his or her interests.	
Rule 4: - **CAUSE LIST** At the close of each working day a list of cases fixed for the next working day, signed by the presiding Magistrate, shall be posted in some conspicuous place...	**<u>Rule 4 :- Electronic Cause Lists and Scheduling :-</u>** (A) **Digital Cause List:** A digital cause list shall be generated through the Case Information System (CIS) and uploaded on the District Court website and electronic notice board. If digital infrastructure is unavailable, a physical list shall be posted. (B) **Content and Language:** The cause list shall contain: case number and year, names of parties, name of advocate, stage of proceeding, and court room number. It shall be prepared in Hindi or English. (C) **Transmission to Police and Jail (Mir Usman direction):**	Section 530 BNSS (electronic mode); Mir Usman v. CBI, para 37(7) (summons through Public Prosecutor – applied to cause list transmission); Rule 4 of Jharkhand Criminal Court Rules; Maharashtra Electronic Processes Rules, 2025, Rule 4.

	An extract of the cause list shall be sent to the concerned police station and the jail authorities for production of undertrial prisoners. (D) **Timing:** The cause list for the next working day shall be made available by 5:00 P.M. on the preceding working day. (E) **Preservation:** At the end of every quarter, cause lists shall be archived electronically or destroyed physically as per High Court instructions.	
Rule 5: - BUSINESS AT PRIVATE RESIDENCE: - Magistrates shall refrain from... transacting public business at their private residences.	**<u>Rule 5 :- Prohibition of residence transactions and virtual exceptions :-</u>** (**A) Place of work:** All judicial and executive magistrates shall transact public business only at designated court houses or at such other places as may be notified by the High Court. No public business relating to the discharge of judicial or magisterial functions shall be transacted at private residences. **(B) Conduct during proceedings (Circular 02/2024, paras 3.2–3.4):** Government officials participating in proceedings need not stand throughout the hearing; standing shall be required only when responding to or making statements. The court shall avoid oral remarks	Circular 02/2024, paras 3.2, 3.3, 3.4; Rule 5 of Jharkhand Criminal Court Rules. Compliance with Section 183 BNSS which mandates videography of statements and Section 187 BNSS regarding 24-hour production requirement.

	that may humiliate the official, and shall not comment on physical appearance, educational background, or social standing. Any deviation shall be treated as misconduct and reported to the High Court. **(C)** In exceptional circumstances requiring urgent remand or recording of statements under Section 183 BNSS, the same shall be conducted through the designated virtual court terminal or duty magistrate station ensuring the process is videotaped.	
Rule 6: - SUNDAYS AND HOLIDAYS Without the consent of parties and in the absence of urgent necessity no criminal enquiry or trial shall ordinarily be held on a Sunday or gazetted holiday.	• No criminal inquiry or trial shall be held on a Sunday or gazetted holiday without the consent of all parties and unless the Presiding Officer records reasons of urgent necessity. Urgent necessity includes: recording of dying declaration, grant of interim bail, extension of remand, or orders under Section 144 BNSS. Proceedings on holidays shall be held with the prior approval of the District Judge, and a list of such proceedings shall be sent to the High Court every month (Circular 06/2025, para 2). • Emergency remand proceedings under section 187 BNSS or recording of dying declarations confessions shall be conducted by the designated holiday oblique duty magistrate via virtual link to prevent procedural lapses.	Sections 8(6) and 346 BNSS; Rule 5(3) of Kerala Criminal Rules of Practice, 1982; Circular 06/2025, para 2 (monthly reporting of trial status – applied mutatis mutandis). Section 187 BNSS.

Rule 7: - COURT CLOSURES **Rule 7 (A) & (B): COURTS OF EXECUTIVE MAGISTRATES AND SESSIONS/JUDICIAL MAGISTRATES – HOLIDAYS.**	A) Courts of Session and Judicial Magistrates shall remain closed only on days declared by the High Court as public holidays for Civil Courts. The annual vacation shall be regulated by the High Court. B) Courts of Executive Magistrates shall follow the holiday list notified by the State Government. However, during the annual vacation of Civil Courts, an Executive Magistrate shall remain available on call for urgent matters such as remand, maintenance of peace, and preventive orders (including suo motu action under Section 13 of the Prohibition of Child Marriage Act, 2006 – Circular 07/2024). C) The District Magistrate shall publish a roster of Executive Magistrates available during vacation	Circular 07/2024, para 1.1–1.2**(**Magistrates to take suo motu action under Prohibition of Child Marriage Act); Section 14 BNSS(Executive Magistrates).Circular 07/2024, para 1.1–1.2**(**Magistrates to take suo motu action under Prohibition of Child Marriage Act); Section 14 BNSS(Executive Magistrates).
Rule 8: - SIGNATURES JUDICIAL OFFICERS SHALL SIGN THEIR NAMES DISTINCTLY AND LEGIBLY	(1) Every judicial officer shall sign all judgments, orders, warrants, and other judicial documents legibly and in full, indicating his/her name and designation below the signature. (2) Name in all orders (Circular 06/2024, para 1): In all orders passed by Courts, Tribunals, Boards, and Quasi-Judicial Authorities, the name of the Presiding Officer and/or Members who sign the orders shall be mentioned. If any identification number has been given, the same can also be added.	Circular 06/2024, para 1**;** Rule 9 of Jharkhan**d c**ircular 06/2024, para 1**;** Rule 9 of Jharkhand Criminal Court Rules and Criminal Court Rules.

	(3) The use of a facsimile stamp or name stamp in place of signature is prohibited unless specifically permitted by the High Court for high-volume routine processes	
(ADDITION OF NEW RULE :- NOTE ON DIGITAL SIGNATURE) (TO BE RENUMBERED AS Rule 9)	Wherever in these Rules the words 'signature'/'signed' appear, a judgment, order, or administrative order duly signed using digital electronic signature by an authority shall have the same force and effect as a manual signature. Digital signature shall be affixed in accordance with the Information Technology Act, 2000. Every electronically signed document shall bear the image of the seal of the Court (Section 63(1)(ii) BNSS). A printout of such electronically signed process shall be deemed the original for execution	Section 63(1)(ii) BNSS; Maharashtra Electronic Processes Rules, 2025, Rules 5, 6, 7; Rule 9 of Jharkhand Criminal Court Rules (amended 2024)
Rule 9: - IMPRESSION OF A STAMP BEARING THE OFFICER'S NAME IS INSUFFICIENT AND ILLEGAL.	**(No change in substance)** The impression of a rubber stamp bearing the officer's name, designation, or any other marking shall not be treated as a valid signature on any judgment, order, warrant, or other document required by law to be signed. Every such document shall bear the personal signature of the Presiding Officer or the authorised officer, or a digital signature in accordance with Rule 9	Rule 9 of Jharkhand Criminal Court Rules; Section 63 BNSS.
Rule 10: - SUPERVISION: -	(A) Supervisory duties of CJM (Section 10(4) BNSS): The Chief Judicial Magistrate shall exercise regular supervision over	Circular 01/2023, para 11.1–11.8(Arnesh Kumar directions); Anna

DISTRICT MAGISTRATES AND CHIEF JUDICIAL MAGISTRATES TO MAINTAIN CONTROL OVER SUBORDINATE MAGISTRATES.	criminal courts subordinate to him. He shall, once every quarter, review pendency of cases, especially those where accused is in custody, and ensure compliance with Section 187(3) BNSS (default bail period). (B) Quarterly reporting: A quarterly report in the format prescribed by the High Court shall be submitted, indicating cases pending beyond six months, one year, and two years, with reasons for delay. (C) Arnesh Kumar compliance (Circular 01/2023, para 11.1–11.8):The CJM shall ensure that police officers forward the checklist containing specified sub-clauses under Section 35(1)(b)(ii) BNSS and furnish reasons and materials that necessitated arrest, while forwarding/producing the accused before the Magistrate for further detention. The Magistrate shall, before authorising detention, peruse the report and record satisfaction. The decision not to arrest shall be forwarded to the Magistrate within two weeks. Notice of appearance under Section 35(3) BNSS shall be served within two weeks. Failure to comply shall render the police officer liable for departmental action and contempt of court, and the Magistrate for departmental action by the High Court.	Waman Bhalerao v. State of Maharashtra (2025), para 18(bail within 2 weeks, anticipatory bail within 6 weeks); Section 10(4) BNSS; Section 35(1)(b)(ii), (3) BNSS.

Rule 11. **COURT LANGUAGE: THE GOVERNMENT OF BIHAR HAVE DECLARED 'HINDI' IN DEVANAGARI SCRIPT AS COURT LANGUAGE.**	(**Renumbered as Rule 12)** (1) The language of the Criminal Courts in the State shall be Hindi in Devanagari script, or English. (2) All judgments, orders, and charges shall be written or typed in the language of the Court. Where evidence is recorded in a language different from the language of the Court, a true translation shall be prepared as per Section 312 BNSS. (3) Summons, warrants, and other processes issued to persons who do not understand Hindi or English shall be accompanied by a translation in the local language (Santali, Mundari, Ho, Urdu, or other tribal languages) as may be necessary. (4) Omission of caste/religion (Circular 05/2024): The caste or religion of a litigant shall not appear in the memo of parties in any petition, suit, or proceeding filed before the High Court or subordinate courts.	Circular 05/2024; Section 312 BNSS; Rule 29(16) of Madras Criminal Rules of Practice, 2019(translation for persons outside State).

PART – I

GENERAL RULES REGARDING PRACTICE AND PROCEDURE

CHAPTER – I

GENERAL

(Rule 12 to 18)

Rule 12: - **ALL PETITIONS SHALL BE IN THE LANGUAGE OF THE COURT, TYPE-WRITTEN, COPIES SERVED ON PLEADERS.**	(1) Every petition, application, or memorandum shall be legibly written, typewritten, or computer-printed on A4 paper, with a left margin of not less than 4 cm. (2) A soft copy in PDF format shall be filed along with the hard copy where e-filing is available (Section 530 BNSS). (3) At least one copy shall be served on the opposite party's advocate or the Public Prosecutor, and an endorsement of serviceshall be made on the original before filing. (4) Disclosure in bail applications (Circular 01/2024, paras 1(a)–(d) & Zeba Khan v. U.P.): Every application for bail (under Sections 482, 483 BNSS or special Acts) shall mandatorily mention, below the cause title in bold letters: whether it is first, second, or subsequent application; details and copies of orders passed in earlier bail applications; details of any pending bail application in any other court; and a clear statement if none is pending. The Registry shall annex a system-generated report about decided or pending bail applications in the same crime case. Criminal antecedents disclosure: The applicant shall disclose all criminal antecedents in a tabular form (FIR No., Police Station, Sections, Status). (5) All bail applications from same FIR before same Judge (Circular 01/2024 & 03/2024): All bail applications arising out of the same FIR	Circular 01/2024, paras 1(a)–(d); Circular 03/2024, paras 1–3(same Judge for same FIR); Zeba Khan v. State of U.P. (2026), paras 44, 50 (disclosure framework and guidance); Section 530 BNSS; Rule 28 of Kerala Criminal Rules of Practice, 1982.

	shall be placed before the same Hon‘ble Judge. The necessary condition for listing before the junior most Hon’ble Judge applies only to applications where two or more Hon‘ble Judges have previously dealt with the same FIR prior to 19.01.2024 (Kusha Duruka)	
Rule 13:- JURISDICTION ON ORDERS **IN EVERY SENTENCE OR ORDER MADE BY A CRIMINAL COURT, THE JURISDICTION OF THE JUDGE OR MAGISTRATE MAKING IT SHOULD DISTINCTLY APPEAR ON THE FACE THEREOF.**	**(Renumbered as Rule 14)** Every order, judgment, or warrant shall clearly indicate on its face: (a) name of Court and territorial jurisdiction, (b) name and designation of the presiding officer, (c) number and year of case, (d) provision of law under which passed, and (e) if a Magistrate of a particular grade is empowered, the grade of the Magistrate. The name of the Presiding Officer shall be mentioned in every order (Circular 06/2024, para 1). Failure to indicate the grade shall render the order liable to be set aside	Circular 06/2024, para 1; Rule 13 of Jharkhand Criminal Court Rules; 22 W.R.Cr. R. 30.
Rule 14:- IN EVERY PROCESS AND EVERY SENTENCE OR ORDER... THE NAME OF THE	In every process, sentence, or order, the following shall be clearly set out: (a) name of district, (b) name of Court,	Rule 14 of Jharkhand Criminal Court Rules; Maharashtra Electronic Processes Rules, 2025, Rule 6

DISTRICT AND OF THE COURT... AND ALSO THE NAME AND POWER OF THE OFFICER... SHALL BE CLEARLY SET OUT.	(c) name and designation of issuing officer, and (d) the legal power or provision of law under which the officer is acting. For digitally signed processes, the digital signature certificate shall contain the name and designation of the signatory.	
Rule 15: - EVERY SUMMONS ISSUED UNDER THE CODE OF CRIMINAL PROCEDURE SHALL BE [IN DUPLICATE] SIGNED AND SEALED BY THE PRESIDING OFFICER...	(1) Manual summons: Every summons shall be in duplicate, signed and sealed by the Presiding Officer, or in his absence, by any other Magistrate exercising jurisdiction within the local area. (2) Electronic summons (Section 63(1)(ii) BNSS):A summons may also be issued in electronic form, bearing the image of the seal of the Court and the digital signature of the Presiding Officer or authorised officer. A printout of the electronic summons shall be deemed the original for service. (3) Service through electronic means (Maharashtra Rules, 2025, Rule 12): The Officer-in-charge of the Police Station may forward the summons on the disclosed electronic mail address, phone number, or messaging application of the person summoned	Section 63(1)(ii) BNSS; Maharashtra Electronic Processes Rules, 2025, Rules 8, 12; Rule 15 of Jharkhand Criminal Court Rules.

Rule 16: (1) REGULAR SEAL AND DATE SEAL – CUSTODY. (2) AFFIXING DATE SEAL ON PRESENTATION; DEFACING COURT-FEE LABEL.	(1) Physical seal: The Regular Seal of the Court shall be kept in the custody of a responsible officer authorised by the Presiding Officer. The Date Seal shall be similarly secured. (2) Physical presentation: On physical presentation of documents, the Court shall affix a date seal clearly showing the date. Any Court-fee label shall be additionally affixed or punched to deface it. (3) Electronic presentation (Section 530 BNSS):Where documents are filed electronically (e-filing), the date and time of upload shall be automatically recorded by the Case Information System (CIS) and shall constitute the date of presentation. No physical date seal is required on electronic documents.	Section 530 BNSS; Rules 4, 14 of Jharkhand Criminal Court Rules (as amended 2024) .
Rule 17: ALL PROCESSES ISSUED BY THE HIGH COURT IN CRIMINAL CASES SHOULD BE SERVED AS QUICKLY AS POSSIBLE...	All processes issued by the High Court in criminal cases shall be served through the District Judge of the concerned district, or in case of urgency, directly through the Superintendent of Police. The service report shall be submitted within the time fixed, failing which an explanation shall be sent. Electronic service (Section 64(2) BNSS) may also be utilised. If service cannot be effected, the process shall be returned to the High Court with reasons, and the High Court may fix a fresh date or issue coercive process.	Section 64(2) BNSS; Rule 17 of Jharkhand Criminal Court Rules; Circular 06/2025, para 37(7) .
Rule 18: IN EVERY SUCH CASE THE SERVING	The Court or authority effecting service shall, after completing service (or upon failure), certify to the High Court whether valid service has	Section 70(3) BNSS; Maharashtra Electronic Processes Rules, 2025,

COURT SHALL SATISFY ITSELF THAT A VALID SERVICE HAS BEEN MADE OR THAT THERE HAS BEEN A FAILURE OF SERVICE...	been made. In case of failure, reasons shall be recorded. The certificate shall be accompanied by the return of service (or failure) and an affidavit or solemn declaration of the serving officer. Electronic proof of service (Section 70(3) BNSS): Where service is effected electronically, a screenshot or system-generated acknowledgment of delivery shall be sufficient proof of service.	Rules 13, 14; Rule 18 of Jharkhand Criminal Court Rules.
CHAPTER – II **PROCESS** **RULES 19 TO 28D**		
Rule 19. IDENTIFICATION OF PERSONS. Every person on whom a process is to be served or executed shall be described therein in such manner as will serve to identify him clearly, i.e., by the statement of his correct name and address and such further description as will	**Rule 19: Description and identification of person to be served.** (1) Every person on whom a process is to be served or executed shall be described in such manner as may clearly identify him, including his correct name, parentage, age, occupation, local address, permanent address, PIN Code, police station, district, and such further particulars as may be available. (2) In towns, cities, apartment complexes, institutions, offices, hostels, prisons, hospitals or other establishments, the process shall, as far as practicable, mention the ward, street, mohalla, building name, house number, flat number, department, designation, or any other description necessary for proper identification and service.	Existing Rule 19, Chapter II, Criminal Court Rules of the High Court of Judicature at Patna. Patna High Court Circular Order No. 03 of 2025. Sections 63, 64 and 530, Bharatiya Nagarik Suraksha Sanhita, 2023. Information Technology Act, 2000. Maharashtra Electronic Processes Rules, 2025 — definitions of CCTNS, CIS, disclosed electronic mail address, electronic communication, eSign,

serve to identify him. **NOTE—** In the case of service or execution of process to be effected in large towns, the name of the street or section of the town and the number of the house, if known, should be given.	(3) Where the person to be served is a company, firm, society, trust, association, institution, government office or other juristic person, the process shall, as far as practicable, mention its registered office, principal office, branch office, official e-mail address, and, where available, Corporate Identification Number, registration number or other institutional identifier. (4) Where available and legally permissible, the mobile number, electronic mail address, messaging application details, official digital address, or other electronic contact particulars of the person to be served shall be mentioned separately for the purpose of electronic service. (5) Aadhaar number, PAN details, bank account details, or other government identification particulars shall not be insisted upon in every criminal proceeding; however, such particulars may be recorded where required by law, by direction of the Court, or where necessary for identification, compensation, victim compensation, surety verification, release of property, fine, refund, deposit, disbursement, or any other proceeding involving payment or transmission of money or property. (6) In case of accused persons, witnesses, victims, complainants, sureties, public servants, experts or institutional witnesses, the process	process, summons and warrant; Rules 3 to 8.

	shall also mention such particulars as may be necessary to avoid mistaken identity. (7) No process shall be returned unserved merely on account of minor variation in name, spelling or description, if the serving officer is otherwise able to identify the person intended to be served. **Explanation.** For the purpose of this Rule, "electronic contact particulars" shall include electronic mail address, mobile number, official digital address, messaging application details, or such other electronic mode as may be approved by the High Court or recognised by law.	
Rule 20. LANGUAGE OF PROCESS. Processes shall ordinarily issue in the language of the Court, but when processes are sent for service to a place where the language is different from that of the Court issuing them, they should be accompanied by a translation into the language	**Rule 20: Language, translation and accessible format of process.** (1) Every process shall ordinarily be issued in the language of the Court. (2) Where the process is to be served at a place where the language is different from the language of the issuing Court, the process shall be accompanied by a translation in English or in the language commonly understood at such place, certified to be correct by the transmitting Court. (3) Where the return of service or report of non-service is in a language different from the language of the issuing Court, it shall be	Existing Rule 20, Chapter II, Criminal Court Rules of the High Court of Judicature at Patna. Section 530, Bharatiya Nagarik Suraksha Sanhita, 2023. Patna High Court Guidelines for Recording Evidence of Vulnerable Witnesses, 2025. Rights of Persons with Disabilities Act, 2016, Section 12; BNSS provisions relating to accessible recording of statements and evidence.

of such place or into English, certified by the transmitting Court to be correct. Where the return of service or report of non-service is in a language different from that of the issuing Court it shall be accompanied by an English translation similarly certified.	accompanied by an English translation or by a translation in the language of the issuing Court, certified to be correct. (4) Where the person to be served is unable to understand the language of the process, or is a person with disability, child witness, vulnerable witness, foreign national, or person requiring assistance, the Court may direct that the process be accompanied by translation, audio explanation, Braille copy, large-font copy, sign-language assistance, interpreter assistance, or any other accessible mode. (5) In cases involving vulnerable witnesses or children, the process shall be issued in a manner consistent with dignity, privacy and non-disclosure of identity, wherever required by law.	
Rule 21. PROCESS FOR FOREIGNERS. Process for foreigners should be issued along with an English translation thereof.	**Rule 21: Process for foreign nationals and persons outside India.** (1) Every process issued to a foreign national shall be accompanied by an English translation, unless the Court directs translation into any other language understood by such person. (2) Where process is required to be served outside India, it shall be transmitted through the competent authority, Ministry, agency, treaty mechanism, convention, reciprocal arrangement, government notification, or such channel as may be prescribed by law or directed by the High Court.	Existing Rule 21, Chapter II, Criminal Court Rules of the High Court of Judicature at Patna. Sections 2(1)(a), 2(1)(i) and 530, Bharatiya Nagarik Suraksha Sanhita, 2023. Information Technology Act, 2000. Rules relating to service of summons and judicial processes outside India through competent authority / mutual legal assistance mechanism.

	(3) The Court may require the party seeking issuance of such process to furnish complete particulars including nationality, passport details if available, last known address in India and abroad, electronic mail address, mobile number, and other available electronic contact details. (4) Where legally permissible, the Court may direct electronic transmission in addition to ordinary, diplomatic or official mode of service. (5) The process may, where permissible, indicate whether appearance through audio-video electronic means is allowed or directed. (6) In every case where the accused or witness is a foreign national, the Court shall record whether translation or interpreter assistance is necessary.	
Rule 22. COMPLAINT COPY TO ACCOMPANY PROCESS. In a proceeding instituted upon a complaint made in writing, every process issued shall be accompanied by a copy of such complaint.	**Rule 22: Copy of complaint and accompanying documents.** (1) In every proceeding instituted upon a complaint made in writing, the summons or other process issued to the accused shall be accompanied by a copy of the complaint. (2) Where the complaint is accompanied by affidavit, list of witnesses, list of documents, or other material which the Court directs to be supplied, copies thereof shall also accompany the process or be made available electronically.	Existing Rule 22, Chapter II, Criminal Court Rules of the High Court of Judicature at Patna. Sections 223 and 230, Bharatiya Nagarik Suraksha Sanhita, 2023. Bharatiya Sakshya Adhiniyam, 2023 — electronic and digital records as documentary evidence. Patna High Court Guidelines

	(3) Where the process is issued by electronic mode, a soft copy of the complaint and such accompanying documents as the Court directs shall form part of the electronic process. (4) In complaint cases instituted by a private person, the complainant shall, as far as practicable, furnish sufficient copies of the complaint and process particulars including addresses, mobile number, e-mail address and other available electronic contact details of the accused and witnesses. (5) In cases involving sexual offences, children, vulnerable witnesses or protected witnesses, copies supplied with process shall be redacted wherever necessary to protect identity, privacy and safety, subject to the right of the accused to receive material necessary for defence.	for Recording Evidence of Vulnerable Witnesses, 2025.
Rule 23. SUMMONS TO POLICE OFFICERS. Whenever a summons to appear as a witness in a criminal case is issued against an officer of police, it shall be served upon such officer through the Superintendent or the	**Rule 23: Summons to police officers and investigating officers.** (1) Summons to a police officer shall ordinarily be issued through the Superintendent of Police, Deputy Superintendent of Police, Sub-Divisional Police Officer, or other superior officer under whom such police officer is serving. (2) In urgent cases, or where the police officer is the Investigating Officer or is required for production of case diary, seized articles, electronic records, forensic material, compliance report or service report, the Court may also issue direct notice through official electronic	Existing Rule 23, Chapter II, Criminal Court Rules of the High Court of Judicature at Patna. Sections 63, 64 and 530, Bharatiya Nagarik Suraksha Sanhita, 2023. Maharashtra Electronic Processes Rules, 2025 — CCTNS, CIS, disclosed electronic mail address, electronic process and service through electronic communication. Patna High

Assistant in charge of the subdivision to which such officer may belong.	mail, CCTNS, ICJS, CIS or any other official electronic platform approved for such purpose. (3) The summons shall clearly mention the police station, case number, date of evidence, purpose of attendance, and documents or articles required to be produced. (4) The superior officer through whom summons is served shall ensure attendance of the police officer, unless prevented by sufficient cause to be communicated to the Court before the date fixed. (5) Where the Investigating Officer has been transferred, retired, suspended or otherwise relieved, the officer-in-charge of the police station or superior officer shall furnish his present posting, address or contact particulars to the Court without delay. (6) Where the Court has framed a schedule for examination of witnesses, summons to police officers shall be issued in accordance with such schedule, and unnecessary adjournment after attendance shall be avoided.	Court Circular Order No. 06 of 2025 / Supreme Court directions in *CBI v. Mir Usman @ Ara @ Mir Usman Ali*, 2025 INSC 1155.
Rule 24. SUMMONS TO MILITARY PERSONNEL. Whenever it may be necessary to summon an officer or soldier in	**Rule 24: Summons to members of Armed Forces, Central Armed Police Forces and uniformed services.** (1) Whenever it is necessary to summon an officer, soldier or member of the Armed Forces, Central Armed Police Forces, or any other uniformed service, the process shall ordinarily be transmitted through	Existing Rule 24, Chapter II, Criminal Court Rules of the High Court of Judicature at Patna. Sections 2(1)(a), 2(1)(i), 63, 64 and 530, Bharatiya Nagarik Suraksha Sanhita, 2023.

Military employ to attend a Criminal Court as a witness, the process-server who is to serve the summons shall be instructed to take it under cover to the Officer in Command of the Regiment or Detachment with which the witness may be serving and to apply for his assistance in serving it. With this assistance the process-server shall then proceed to serve the process and shall make his return direct to the Court. In such cases sufficient time should always be given to admit of arrangements being made for the relief of the witness summoned.	the Commanding Officer, Controlling Officer, or Head of Office concerned. (2) The Court shall allow sufficient time for service and for administrative arrangements for relieving the witness from duty. (3) In urgent cases, the Court may additionally transmit the summons through registered post, official electronic mail, secured electronic gateway, or any authorised electronic platform of the concerned department, without dispensing with intimation to the Commanding or Controlling Officer. (4) The Commanding or Controlling Officer shall cause service of the process and return the service report to the Court by the date fixed or within such time as may be directed. (5) Where physical appearance may seriously affect public duty, security duty, deployment or operational requirement, the Court may consider examination through audio-video electronic means, subject to law and the requirements of fair trial.	Information Technology Act, 2000. Maharashtra Electronic Processes Rules, 2025.

Rule 25. DELETED.	**Rule 25: Electronic issuance and service of process.** (1) In addition to physical mode, every Criminal Court may generate, issue, transmit, serve and receive return of process by electronic mode, wherever infrastructure is available. (2) Every electronic process shall bear the name of the Court, case number, name and designation of the issuing authority, image of the seal of the Court, and digital/electronic signature of the Presiding Officer or authorised officer, as the case may be. (3) A summons or process generated electronically and bearing the image of the seal of the Court and digital/electronic signature shall have the same force and effect as a manually signed and sealed process. (4) A printout of such electronically issued process shall be treated as original for the purpose of service and execution. (5) Electronic service may be effected through disclosed electronic mail address, mobile number, messaging application, official portal, CIS, CCTNS, ICJS, NSTEP or such other secure mode as may be approved by the High Court. (6) Where electronic service is attempted but fails, the failure report shall indicate whether the e-mail bounced back, delivery was disrupted,	Sections 63, 64 and 530, Bharatiya Nagarik Suraksha Sanhita, 2023. Information Technology Act, 2000. Maharashtra Electronic Processes Rules, 2025 — Rules 3 to 8, electronic generation of process through CIS, electronic process bearing seal and eSign, printout of electronic process to have effect of original, and recording of electronic contact particulars in CCTNS.

	number was invalid, messaging application delivery failed, or any other reason for failure. (7) Where verified electronic contact details are not available, the serving officer shall make an endorsement to that effect and shall proceed with physical service in accordance with law. (8) Nothing in this Rule shall prevent simultaneous service by physical and electronic modes.	
Rule 26. PRODUCTION OF POST OFFICE RECORDS. As regards production of post office records under section 92, Criminal Procedure Code by Post Master, Rule 74, Chapter I, page 31 of Post Office Manual, Vol. I, 1912 should be referred to.	**Rule 26: Production and preservation of postal, telecom, electronic and public records.** (1) Where any postal, telecom, internet, electronic, digital, banking, public office, service provider, social media intermediary, cloud service provider, or other official record is required to be produced before a Criminal Court, the process shall specify the record required, period to which it relates, case number, and date fixed for production. (2) The Court may, where necessary, issue an order for preservation of such record pending production. (3) In case of electronic or digital records, the Court may require production in electronic form together with such certificate as may be required under the Bharatiya Sakshya Adhiniyam, 2023. (4) Where production of original record is not necessary, the Court may accept certified copy, authenticated electronic copy, digitally signed	Existing Rule 26, Chapter II, Criminal Court Rules of the High Court of Judicature at Patna. BNSS provisions relating to production of documents, electronic records and things before Court. Bharatiya Sakshya Adhiniyam, 2023 — electronic/digital records as documents and documentary evidence; Section 63 certificate for electronic records. Information Technology Act, 2000 — electronic records and digital/electronic authentication. Maharashtra eSakshya Management Rules, 2025 — eSakshya packet, SID,

	extract, forensic image, hash-value report, chain of custody document, or such other legally admissible form as the Court considers sufficient. (5) Where the record is confidential, privileged, sensitive, or relates to public safety, national security, investigation, privacy, or protected identity, the authority concerned may bring the same to the notice of the Court, and the Court shall pass appropriate orders in accordance with law. (6) The Court may permit electronic transmission of such record through secure official electronic means.	time stamp, geo-location, hash value, immutable storage and CIS/ICJS access.
Rule 27. LEGISLATIVE DOCUMENTS AND OFFICERS. Whenever any document or documents which are required to be produced in a case, are in the custody of the Lok Sabha/Rajya Sabha/Vidhan Sabha/Vidhan Parishad or whenever a witness whose presence is required in a case, for being examined, is an	**Rule 27: Process relating to Legislature Secretariat and constitutional authorities.** (1) Where any document required in a criminal case is in the custody of the Lok Sabha, Rajya Sabha, Bihar Vidhan Sabha, Bihar Vidhan Parishad, or any other Legislature Secretariat, or where any officer of such Secretariat is required to be examined, a letter of request in the prescribed form shall ordinarily be issued instead of summons in the ordinary form. (2) The letter of request shall specify the case number, Court, purpose for which the document or witness is required, date fixed, and whether certified copies, authenticated copies, or electronic copies would be sufficient.	Existing Rule 27, Chapter II, Criminal Court Rules of the High Court of Judicature at Patna. Article 194 and Article 105, Constitution of India. Sections 63, 64 and 530, Bharatiya Nagarik Suraksha Sanhita, 2023. Information Technology Act, 2000.

officer in the Secretariat of the Lok Sabha/Rajya Sabha/Vidhan Sabha/Vidhan Parishad or any duly informed officer of the Secretariat of the Lok Sabha/Rajya Sabha/Vidhan Sabha/Vidhan Parishad, a letter of request in Form No. (M) 13-A shall be issued instead of a summons in the ordinary form.	(3) The Court shall respect constitutional privilege and legislative procedure while issuing such request, and shall pass appropriate orders if any claim of privilege or confidentiality is raised. (4) Where the document is available in electronic or digitised form, the Court may request transmission of a digitally authenticated copy through official electronic portal or secured government electronic mode. (5) Similar procedure may be followed, as far as practicable, for records or officers of constitutional authorities where ordinary summons may not be appropriate.	
Rule 28. DELETED.	**Rule 28: Return, proof and certification of service.** (1) Every process after service, attempted service, execution, or failure shall be returned to the issuing Court with a clear report. (2) The return shall state— (a) date, time and place of service or attempted service; (b) name and designation of serving officer; (c) manner of identification of the person served; (d) mode of service;	Sections 63, 64 and 530, Bharatiya Nagarik Suraksha Sanhita, 2023. Bharatiya Sakshya Adhiniyam, 2023 — electronic/digital records as documentary evidence. Maharashtra Electronic Processes Rules, 2025 — electronic service, electronic acknowledgment, screenshot/photo

	(e) name and details of person on whom service was effected; (f) reason for failure, if service could not be effected; (g) whether the identifiers mentioned in Rule 19 were used and, if not, reasons therefor; and (h) signature, thumb impression, acknowledgment, photograph, geo-tagged proof, electronic delivery report, or other proof, as the case may be. (3) Where service is effected physically, the return shall be accompanied by endorsement of service and affidavit or solemn declaration of the serving officer, wherever required. (4) Where service is effected electronically, proof may include e-mail delivery report, electronic acknowledgment, screenshot, system-generated report, CCTNS/CIS/ICJS/NSTEP entry, messaging application delivery status, or any other electronic record sufficient to satisfy the Court. (5) Where the process is served otherwise than through electronic mode, the serving officer may obtain acknowledgment of the recipient and may capture photograph or geo-tagged proof of service or attempted service, wherever practicable and legally permissible.	proof, CCTNS/CIS/NSTEP entries, electronic service and non-service reports. Information Technology Act, 2000.

	(6) The Court shall satisfy itself whether service is valid or whether failure of service is genuine, and shall record its satisfaction before proceeding further.	
New Rule.	**Rule 28A: Time-bound service and accountability.** (1) Every process shall be issued without delay after the order directing issuance of process is passed. (2) The Court shall, while issuing process, fix the date by which service report shall be submitted. (3) In cases involving undertrial prisoners, custody matters, bail conditions, witnesses in attendance, child victims, vulnerable witnesses, sexual offences, old cases, or time-bound trials, process shall be marked urgent. (4) If service is not effected within the time fixed, the serving agency shall submit reasons for non-service and steps taken. (5) Repeated failure to serve process without sufficient cause shall be reported to the District Judge or the head of the concerned department for appropriate action. (6) The Court may direct simultaneous physical and electronic service where ordinary service is likely to delay the proceeding.	Sections 63, 64, 230, 346 and 530, Bharatiya Nagarik Suraksha Sanhita, 2023. Patna High Court Circular Order No. 06 of 2025 / Supreme Court directions in *CBI v. Mir Usman @ Ara @ Mir Usman Ali*, 2025 INSC 1155. Patna High Court Guidelines for Recording Evidence of Vulnerable Witnesses, 2025.
New Rule.	**Rule 28B: Process relating to children, victims and vulnerable witnesses.**	Protection of Children from Sexual Offences Act, 2012 — Sections 24 to

	(1) Where process is issued to a child, victim of sexual offence, vulnerable witness, person with disability, person under threat, or protected witness, the Court shall ensure that the process is issued and served in a manner that protects dignity, privacy and safety. (2) The process shall not disclose unnecessary identifying particulars where non-disclosure is required by law. (3) The Court may direct service through a support person, special educator, child welfare police officer, protection officer, District Legal Services Authority, or any other person or authority considered appropriate. (4) The Court may direct that such witness be informed, along with the process, about availability of vulnerable witness deposition facilities, electronic communication and audio-video electronic means, interpreter, translator, sign-language assistance, support person, para-legal volunteer, legal aid, victim compensation benefits, protective measures, emergency or crisis support, shelter support, or other reasonable accommodation. (5) In cases involving children or vulnerable witnesses, the Court shall, as far as practicable, avoid repeated service, repeated attendance and unnecessary exposure to the accused.	27 and 33 to 38. Juvenile Justice (Care and Protection of Children) Act, 2015 — child-friendly procedure and best interest principle. Patna High Court Draft Amended Guidelines for Recording Evidence of Vulnerable Witnesses, 2025/2026 — definition of vulnerable witness, pre-trial familiarisation visit, separate waiting arrangements, vulnerable witness deposition facilities, support person, interpreter, translator, special educator, para-legal volunteer, privacy and confidentiality safeguards, non-disclosure of identifying particulars, prevention of secondary victimisation, and protection from direct or indirect contact with the accused. Rights of Persons with Disabilities Act, 2016, Section 12. Witness Protection Scheme, 2018 — protective measures

	(6) The Court may permit, where appropriate, a pre-trial court visit or familiarisation visit to the courtroom, vulnerable witness deposition facility or electronic facility, so that the child, victim or vulnerable witness may understand the court environment, available support arrangements and manner of giving evidence. (7) In cases involving children, victims of sexual offences, vulnerable witnesses or protected witnesses, the Court shall, as far as practicable, ensure separate waiting arrangements, staggered timings, safe entry and exit, and use of screens, vulnerable witness deposition facilities or other protective arrangements so as to avoid unnecessary contact with the accused and minimise secondary victimisation. (8) Where the Court is informed, or has reason to believe, that the safety of a child, victim, vulnerable witness or protected witness is at risk, the Court may, suo motu or on application, direct appropriate protective measures, non-disclosure of address or identity, restricted access to records, preservation of evidence, or referral to the competent authority under the Witness Protection Scheme, 2018 or any applicable witness protection framework. (9) The Court shall take suitable steps to ensure that there is no direct or indirect contact, intimidation, communication, confrontation or influence between the accused and the child, victim, vulnerable witness	and referral where threat perception exists. Bihar Victim Compensation Scheme, 2019 — information regarding victim compensation benefits where applicable. Maharashtra Electronic Processes Rules, 2025 — special care in process involving women, children, POCSO and JJ matters.

	or protected witness, except in a manner permitted by law and consistent with the right of the accused to a fair trial. (10) The service report shall not be uploaded or disclosed in a manner that compromises identity, address, school, workplace, shelter home, safe location, phone number, electronic contact details or other identifying particulars of such person.	
New Rule.	**Rule 28C: Summons to medical, forensic and expert witnesses.** (1) Summons to medical officers, forensic experts, scientific officers, digital evidence experts, fingerprint experts, handwriting experts, DNA experts, cyber experts, or any other expert witness shall specify the case number, police station case number, name of accused, name of victim or deceased where permissible, nature of report, report number, and documents or articles required to be produced. (2) The Court shall, as far as practicable, fix a specific date and approximate time for examination of such witness so that professional duties are not unnecessarily disrupted. (3) Where the expert's physical presence is not necessary, the Court may permit appearance through audio-video electronic means, subject to law.	Sections 176, 230, 329, 346 and 530, Bharatiya Nagarik Suraksha Sanhita, 2023. Bharatiya Sakshya Adhiniyam, 2023 — electronic/digital records and expert/scientific evidence framework. Guidelines for Forensic Medical Examination in Sexual Assault Cases. Medical Examination of Survivors/Victims of Sexual Violence: A Handbook for Medical Officers. Patna High Court Circular Order No. 06 of 2025 / *CBI v. Mir Usman @ Ara @ Mir Usman Ali*, 2025 INSC 1155.

	(4) In sexual offence cases, medico-legal cases, forensic cases and cases involving electronic evidence, summons shall be issued sufficiently in advance and shall indicate whether original records, sealed samples, certificates, electronic records, hash values, chain of custody documents, or other materials are required. (5) Where a medical or forensic witness attends Court, his/her examination shall not be adjourned except for special reasons to be recorded in writing.	
New Rule.	**Rule 28D: Digital register and preservation of process.** (1) Every Criminal Court shall maintain a physical or electronic register of processes issued, served, returned, unserved, reissued, cancelled, or executed. (2) Where CIS or any other electronic platform is available, all processes and service reports shall be uploaded or linked with the case record. (3) The register shall contain case number, name of person to be served, nature of process, date of issuance, mode of service, agency entrusted with service, date of return, result of service, and next action taken. (4) Electronic proof of service shall be preserved in PDF or other secure format and shall form part of the digital case record.	Sections 63, 64, 230, 346 and 530, Bharatiya Nagarik Suraksha Sanhita, 2023. Bharatiya Sakshya Adhiniyam, 2023 — electronic/digital records. Information Technology Act, 2000. Maharashtra Electronic Processes Rules, 2025 — electronic process, CIS, CCTNS, electronic service report and preservation of service material. Maharashtra eSakshya Management Rules, 2025 — ICJS/CIS access, hash value, time stamp, geo-location and immutable storage principles.

	(5) In cases involving children, sexual offences, vulnerable witnesses or protected witnesses, access to the digital process record shall be restricted in accordance with law and directions of the Court. (6) The District Judge shall periodically review delay in service of process, especially in custody trials, old cases, sexual offence cases, cases involving vulnerable witnesses, and cases where warrants or proclamations remain pending. (7) Records containing the identity, address, school, workplace, shelter home, safe location, phone number, electronic contact particulars or other identifying details of a child, victim of sexual offence, vulnerable witness or protected witness shall be kept in sealed, restricted-access or otherwise protected form, as directed by the Court. (8) Where any process record, service report, acknowledgment, photograph, geo-tagged proof, electronic delivery report, audio-video record or digital material may disclose the identity or safe location of such person, the Court shall regulate access, inspection, copying, uploading and transmission so as to protect privacy, dignity and safety, subject to the right of the accused to a fair trial. (9) No audio-video record or digital material relating to a vulnerable witness, protected witness, child or victim of sexual offence shall be copied, shared, loaned, sold, published, uploaded, transmitted or shown	Patna High Court Draft Amended Guidelines for Recording Evidence of Vulnerable Witnesses, 2025/2026 — confidentiality of identifying information, sealed/restricted records, restriction on inspection and prohibition on copying, sharing, loaning, selling, publishing, uploading or showing audio-video recordings without Court order. Witness Protection Scheme, 2018 — protection of identity, safe location and threat-based protective measures. Protection of Children from Sexual Offences Act, 2012 — identity protection and child-friendly procedure. Rights of Persons with Disabilities Act, 2016, Section 12. Bharatiya Sakshya Adhiniyam, 2023 and Information Technology Act, 2000 — electronic/digital records and secure preservation.

	to any person except under a specific order of the Court and subject to such safeguards as the Court may impose. (10) Where threat perception exists or disclosure of identity or location is likely to endanger the witness or victim, the Court may direct redaction, masking, sealed cover, restricted inspection, non-disclosure of address or safe location, or referral to the competent authority under the Witness Protection Scheme, 2018.	
CHAPTER – III **CONFESSIONS AND STATEMENTS OF ACCUSED** **RULES 29 TO 29D** ***This covers :- confession of accused; statements under Section 183 BNSS; voluntariness safeguards; audio-video recording; no police influence; no oath to accused; vulnerable witnesses; sexual offence victims; child victims; persons with disability; medical examination of victim; use of previous statements; marking of admissible portions only; electronic/audio-video records; confidentiality; supply of copies; register and custody of records.***		
Rule 29. CONFESSION AND STATEMENTS OF ACCUSED — SECTION 164, CR.P.C. The existing Rule 29 provides safeguards	**Rule 29: Recording of confession or statement of accused under Section 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023.** (1) Any confession or statement of an accused person may be recorded only by a Judicial Magistrate competent under Section 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023. No confession shall be	Existing Rule 29, Chapter III, Criminal Court Rules of the High Court of Judicature at Patna. Section 183, Bharatiya Nagarik Suraksha Sanhita, 2023 — recording of confessions and

for recording confession of an accused, including reflection time, absence of investigating police, recording during Court hours, satisfaction of voluntariness, formal warning, restrictions on police remand, recording refusal to confess, and Magistrate's certificate/statement of grounds.	recorded by a police officer on whom any power of a Magistrate has been conferred under any law for the time being in force. (2) Where the Investigating Officer seeks recording of a confession of an accused, the application shall ordinarily be made before the Chief Judicial Magistrate, who may nominate a Judicial Magistrate, preferably other than the Magistrate having jurisdiction to inquire into or try the case, for recording such confession. (3) Where the accused voluntarily appears before, or makes an oral or written request to, a Judicial Magistrate for recording his confession, the Magistrate may proceed in accordance with Section 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023 and this Rule. (4) The examination of an accused person immediately upon his production by the police is to be deprecated. Unless exceptional circumstances exist and are recorded in writing, the accused shall be allowed reasonable time for reflection, ordinarily not less than twenty-four hours, free from police influence, before his confession is recorded. (5) During the period allowed for reflection, the accused shall not be kept in police custody. He shall ordinarily be remanded to judicial custody or kept in such custody or place as may, in the opinion of the Magistrate, sufficiently remove him from police influence.	statements, warning, voluntariness, refusal to confess, audio-video electronic means and statutory memorandum. Section 316, Bharatiya Nagarik Suraksha Sanhita, 2023 — record of examination of accused, language, reading over, signature and electronic communication. Section 509, Bharatiya Nagarik Suraksha Sanhita, 2023 — effect of non-compliance with Sections 183 and 316. Article 20(3) and Article 21, Constitution of India. Bharatiya Sakshya Adhiniyam, 2023 — provisions relating to confession caused by inducement, threat or promise; confession to police officer; confession in police custody; and electronic/digital records. Punjab and Haryana High Court Rules and Orders, Volume III, Chapter 13 — safeguards

	(6) Confession shall ordinarily be recorded in Court and during Court hours. Where unusual circumstances require recording at any other place or time, the Magistrate shall record reasons in writing. (7) No police officer, and particularly no police officer connected with the investigation, shall be present within sight or hearing of the accused during the preliminary questioning or recording of confession, except such security arrangement as the Magistrate considers absolutely necessary. No co-accused or other person likely to influence the accused shall be present. (8) Before recording the confession, the Magistrate shall explain to the accused— (a) that he is before a Judicial Magistrate; (b) that he is not bound to make a confession; (c) that if he makes a confession, it may be used as evidence against him; (d) that he is free to make or withhold any statement; and (e) that whether he makes a confession or refuses to make one, he shall not be sent back to police custody merely on that account. (9) The Magistrate shall question the accused for the purpose of satisfying himself that the confession is voluntary and free from inducement, threat, promise, coercion, tutoring, pressure, fear, ill-treatment or police influence. The questions put and answers given	for confession, reflection period, police absence, voluntariness inquiry, medical examination where violence is suspected and Magistrate's statement of grounds. Criminal Rules of Practice, 2019, High Court of Judicature at Madras — Rule 10, recording of confession, nomination of Magistrate, reflection period, warning, language and read-over procedure. Criminal Rules of Practice, Kerala, 1982 — provisions relating to recording confessions/statements, absence of police/co-accused and maintenance of record. Criminal Court Rules of the High Court of Jharkhand — Chapter III, Confession and Statements of Accused.

	during such preliminary examination shall, as far as practicable, be recorded. (10) The Magistrate shall, in particular, ascertain— (a) the period and circumstances of police custody or detention; (b) whether the accused was questioned, threatened, induced, assaulted, tutored or promised any benefit; (c) whether any person suggested that he should confess or would be made an approver; (d) whether he has any injury, complaint of ill-treatment, fear or grievance; and (e) why he desires to make the confession. (11) If the accused complains of ill-treatment, or if the Magistrate notices injury, fear, distress, coercion or any circumstance suggesting improper influence, the Magistrate shall record the same and may direct immediate medical examination or pass such other order as may be necessary in the interest of justice. (12) If, at any time before the confession is recorded, the accused states that he is unwilling to make the confession, the Magistrate shall not record the confession and shall not authorise his detention in police custody. The refusal shall be recorded in the words of the accused, as	

	far as practicable, and any statement which the accused desires to make in lieu of confession may also be recorded. (13) No oath shall be administered to an accused whose confession is being recorded. (14) The confession shall be recorded in the manner provided in Section 316 of the Bharatiya Nagarik Suraksha Sanhita, 2023. The Magistrate shall not cross-examine the accused, nor put leading or suggestive questions relating to the occurrence; but may put such questions as are necessary to ascertain voluntariness and to obtain a clear, complete and intelligible statement. (15) The confession shall, as far as practicable, be recorded in the language in which the accused is examined. If it is recorded in any other language, it shall be interpreted or explained to the accused in a language understood by him. (16) After recording, the confession shall be read over and explained to the accused in a language understood by him. The accused shall be given an opportunity to explain, add to, or correct his answers. The fact that the confession was so read over and admitted to be correct shall be recorded. (17) The confession shall be signed by the accused and by the Magistrate. Where the accused is in custody and is examined through	

	electronic communication, his signature shall be obtained within seventy-two hours of such examination, as required by Section 316 of the Bharatiya Nagarik Suraksha Sanhita, 2023. (18) The Magistrate shall append at the foot of the record the memorandum prescribed under Section 183(4) of the Bharatiya Nagarik Suraksha Sanhita, 2023. In addition, the Magistrate shall record, preferably in his own hand or under his direct dictation, the grounds on which he believes that the confession was voluntarily made, the precautions taken to remove the accused from police influence, and the time allowed for reflection. (19) A confession or statement may also be recorded by audio-video electronic means in accordance with Section 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023. Where such mode is adopted in the case of an accused, it shall be done in the presence of the advocate of the person accused of an offence, as required by law. (20) The audio-video record, if any, shall be preserved securely as part of the judicial record in such manner as may be directed by the High Court, and access thereto shall be regulated by the Court. (21) After recording the confession, the accused shall not be remanded to police custody merely for the reason that the prosecution desires verification of the confession. If any further police custody is sought,	

	the application shall disclose specific and satisfactory grounds, and the Magistrate shall pass a reasoned order. (22) The period of any remand granted after production for confession shall be as short as possible and strictly in accordance with law. (23) Nothing in this Rule shall affect the power or duty of the Magistrate to record statements of victims, witnesses or other persons under Section 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023, in accordance with law and subject to the special provisions relating to women, children, persons with disabilities, victims of sexual offences and vulnerable witnesses.	
Rule 29-A. REFERENCES TO STATEMENTS UNDER SECTION 161 AND 164 CR.P.C. The existing Rule 29-A provides that during cross-examination, relevant portions of statements under Sections 161 and 164 Cr.P.C. used for contradiction/corroboration	**Rule 29-A: Reference to previous statements recorded during investigation or before Magistrate.** (1) During cross-examination, where any previous statement recorded during investigation under Section 180 of the Bharatiya Nagarik Suraksha Sanhita, 2023, and governed by Section 181 thereof, is used for contradicting a witness, the relevant portion of such statement shall, as far as practicable, be extracted in the deposition. (2) Where it is not practicable to extract the relevant portion in full, the Presiding Officer shall specifically indicate the opening and closing words of such portion, or otherwise identify the exact portion relied upon, by distinct marking.	Existing Rule 29-A, Chapter III, Criminal Court Rules of the High Court of Judicature at Patna. Sections 180, 181 and 183, Bharatiya Nagarik Suraksha Sanhita, 2023. Bharatiya Sakshya Adhiniyam, 2023 — provisions relating to contradiction by previous statements, corroboration by former statements, electronic/digital records and statements given electronically. Punjab and Haryana

shall be extracted or distinctly marked, and omnibus marking of the entire statement shall not be done.	(3) Only the relevant portion used for contradiction shall be marked. The entire statement recorded under Section 180 of the Bharatiya Nagarik Suraksha Sanhita, 2023, shall not be marked as an exhibit merely because a portion thereof is used for contradiction. (4) Where any portion of a statement recorded under Section 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023 is used for contradiction, corroboration or any other legally permissible purpose, only such relevant portion shall be extracted or distinctly identified and marked. (5) Omnibus marking of the entire statement recorded under Section 180 or Section 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023 shall not be done. (6) Where the previous statement is in electronic form or has been recorded by audio-video electronic means, the relevant portion shall be identified by transcript, time-stamp, digital marker, file name, hash value, or such other particulars as may enable exact identification of the portion relied upon. (7) Where a transcript of an audio-video statement is prepared for the purpose of contradiction, corroboration or other legally permissible use, the Court shall ensure that the transcript corresponds to the relevant portion of the audio-video record. Where necessary, the Court may direct certification or verification of the transcript by the person who	High Court Rules and Orders, Volume III, Part E — extraction of relevant portions of statements under Sections 161 and 164 Cr.P.C. and prohibition against omnibus marking. Maharashtra eSakshya Management Rules, 2025 — time-stamp, hash value, geo-location, secure electronic storage and electronic evidence management principles. Patna High Court Guidelines for Recording Evidence of Vulnerable Witnesses, 2025.

	prepared it, by the recording officer, or by such other person as the Court considers fit. (8) Where the relevant portion is not extracted, such portion alone shall be distinctly marked as prosecution or defence exhibit, as the case may be, so that inadmissible or irrelevant portions do not become part of the evidence record. (9) The marking or extraction of a portion of a previous statement shall not by itself alter the legal character or evidentiary value of such statement. It shall be used only for the purpose and to the extent permitted by the Bharatiya Nagarik Suraksha Sanhita, 2023 and the Bharatiya Sakshya Adhiniyam, 2023. (10) Where any omission in a previous statement is relied upon as a contradiction, the Court shall record the omission with sufficient precision and indicate why such omission is significant and relevant in the context in which it is used. (11) In cases involving sexual offences, children, vulnerable witnesses, protected witnesses, or persons with disability, the Court shall ensure that previous statements and their extracts are used and marked in a manner that protects identity, privacy, dignity and safety, subject to the right of the accused to a fair trial.	

	(12) Where a previous statement contains both admissible and inadmissible portions, the Court shall, as far as practicable, separate the admissible portion and mark only that portion. (13) This Rule shall apply, mutatis mutandis, to previous statements in writing, electronic records, audio-video recordings, digitally stored statements, transcripts, translations, certified extracts and other legally recognised forms of record.	
Rule 29-B. MARKING OF CONFESSIONAL STATEMENTS. The existing Rule 29-B provides that Presiding Officers shall ensure that only the admissible portion of Section 8 or Section 27 of the Indian Evidence Act, 1872 is marked, and such portion alone is extracted on a separate sheet and given an exhibit number.	**Rule 29-B: Marking of admissible portions of confessional, disclosure and discovery statements.** (1) The Presiding Officer shall ensure that where any confessional statement, disclosure statement, memorandum, statement leading to discovery, or any part thereof is sought to be proved, only such portion as is admissible under the Bharatiya Sakshya Adhiniyam, 2023 shall be extracted, marked and exhibited. (2) Where any part of a statement is sought to be proved as conduct, only the portion admissible under Section 6 of the Bharatiya Sakshya Adhiniyam, 2023 shall be extracted and marked. (3) Where any information received from an accused in custody is sought to be proved on the ground that it distinctly relates to a fact thereby discovered, only that portion which is admissible under Section	Existing Rule 29-B, Chapter III, Criminal Court Rules of the High Court of Judicature at Patna. Sections 6, 22, 23 and 24, Bharatiya Sakshya Adhiniyam, 2023 — conduct, confession caused by inducement/threat/promise, confession to police officer, confession in police custody, information leading to discovery and joint trial situations. Section 63, Bharatiya Sakshya Adhiniyam, 2023 — certificate for electronic records. Sections 180, 181 and 183, Bharatiya Nagarik Suraksha

	23 of the Bharatiya Sakshya Adhiniyam, 2023 shall be extracted and marked. (4) The whole of a confessional statement, disclosure statement, memorandum, recovery statement, police statement or statement recorded during investigation shall not be marked as an exhibit merely because any portion thereof is admissible. (5) The admissible portion shall, as far as practicable, be extracted on a separate sheet and given a separate exhibit number, indicating the witness through whom it is proved and the document or material object, if any, discovered pursuant thereto. (6) Where the statement or disclosure is contained in an electronic record or audio-video record, the admissible portion shall be identified by transcript, time-stamp, digital marker, file name, hash value, or such other particulars as may enable exact identification of the portion relied upon. (7) Where a transcript or extract of an electronic or audio-video record is prepared, the Court shall ensure, where necessary, that it is verified or certified by the person who prepared it, by the recording officer, or by such other person as the Court considers fit. (8) In cases involving electronic or digital evidence, the Court may require production of the certificate contemplated under Section 63 of	Sanhita, 2023. Maharashtra eSakshya Management Rules, 2025 — time-stamp, hash value, geo-location, secure electronic storage and electronic evidence management principles. Punjab and Haryana High Court Rules and Orders, Volume III, Part E — marking only admissible portions of confessional statements and avoiding omnibus marking.

	the Bharatiya Sakshya Adhiniyam, 2023, along with particulars relating to custody, preservation, transmission, hash value, or other authentication details, as may be necessary. (9) The original statement, memorandum, audio-video record, electronic record, or device containing such record shall be preserved in accordance with law and the directions of the Court. (10) Nothing in this Rule shall permit the marking of inadmissible confessional material, self-incriminatory portions not permitted by law, or any part of a police statement which is otherwise barred from being used as evidence.	
Rule 29-C. PROCEDURE TO BE FOLLOWED IN CASES OF RAPE AND GANG RAPE LODGED UNDER SECTION 376 IPC. The existing Rule 29-C provides that the Investigating Officer shall immediately take the victim to a Judicial Magistrate for recording statement under	**Rule 29-C: Recording of statements of victims, witnesses and vulnerable persons under Section 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023.** (1) Upon receipt of information relating to commission of any offence specified in Section 183(6)(a) of the Bharatiya Nagarik Suraksha Sanhita, 2023, the Investigating Officer shall take immediate steps to produce the person against whom such offence has been committed before a Judicial Magistrate for recording statement under Section 183 thereof. (2) Such statement shall be recorded as soon as the commission of the offence is brought to the notice of the police and, as far as practicable,	Existing Rule 29-C, Chapter III, Criminal Court Rules of the High Court of Judicature at Patna. Section 183(6), Bharatiya Nagarik Suraksha Sanhita, 2023 — recording of statements in specified sexual offences, woman Judicial Magistrate, serious offences, interpreter/special educator, audio-video recording and statement in lieu of examination-in-chief. Section 184, Bharatiya Nagarik Suraksha

Section 164 Cr.P.C.; as far as possible to the nearest lady Judicial Magistrate; delay beyond 24 hours must be explained in the case diary; medical examination under Section 164-A Cr.P.C. must be conducted; the medical report must be handed over to the Magistrate; and copies of Section 164 statements shall not be furnished until the appropriate stage after cognizance/process.	by a woman Judicial Magistrate; and in her absence, by a male Judicial Magistrate in the presence of a woman. (3) The Investigating Officer shall, as far as practicable, take the victim or person making the statement to the nearest available woman Judicial Magistrate. Where a woman Judicial Magistrate is not available, the reasons shall be recorded in the case diary and brought to the notice of the Magistrate recording the statement. (4) The Investigating Officer shall record in the case diary the date and time at which information of commission of the offence came to his knowledge and the date and time at which the victim or person making the statement was taken to the Judicial Magistrate. (5) If there is delay exceeding twenty-four hours in producing the victim or person making the statement before the Judicial Magistrate, the Investigating Officer shall record reasons for such delay in the case diary and furnish a copy of such reasons to the Magistrate recording the statement. (6) In cases relating to offences punishable with imprisonment for ten years or more, imprisonment for life or death, the Judicial Magistrate shall record the statement of the witness brought before him by the police officer in accordance with Section 183(6)(a) of the Bharatiya Nagarik Suraksha Sanhita, 2023.	Sanhita, 2023 — medical examination of victim of rape, twenty-four hour requirement, consent, contents of report and forwarding of report. Section 230, Bharatiya Nagarik Suraksha Sanhita, 2023 — supply of police report, FIR, statements, confessions and documents to accused. Section 142, Bharatiya Sakshya Adhiniyam, 2023 — cross-examination on statement treated in lieu of examination-in-chief under Section 183(6)(b) BNSS. Protection of Children from Sexual Offences Act, 2012 — Sections 24 to 27 and 33 to 38; audio-video recording of child statement, child-friendly procedure, support person and medical examination of child. Juvenile Justice (Care and Protection of Children) Act, 2015 — best interest of child and child-

	(7) Where the person making the statement is temporarily or permanently mentally or physically disabled, the Magistrate shall take the assistance of an interpreter, translator, special educator or any other person considered necessary for effective communication. (8) Where the statement is made by a person who is temporarily or permanently mentally or physically disabled, the statement shall be recorded through audio-video electronic means, preferably by mobile phone or such other secure mode as may be available, in accordance with Section 183(6)(a) of the Bharatiya Nagarik Suraksha Sanhita, 2023. (9) A statement recorded under Section 183(6)(a) of the Bharatiya Nagarik Suraksha Sanhita, 2023 of a person who is temporarily or permanently mentally or physically disabled shall be treated in accordance with Section 183(6)(b) thereof and Section 142 of the Bharatiya Sakshya Adhiniyam, 2023. (10) In cases involving children, the statement shall be recorded in a child-friendly manner, and the assistance of a support person, special educator, interpreter, translator, guardian, person of trust or other appropriate person may be taken in accordance with law. (11) In cases under the Protection of Children from Sexual Offences Act, 2012, the Magistrate or police officer, as the case may be, shall,	friendly procedure. Rights of Persons with Disabilities Act, 2016, Section 12 — access to justice and reasonable accommodation. Patna High Court Draft Amended Guidelines for Recording Evidence of Vulnerable Witnesses, 2025/2026 — information to vulnerable witnesses regarding legal aid, protective measures, support person, interpreter, special educator, vulnerable witness deposition facility, privacy, case progress and decisions affecting their interests. Bihar Victim Compensation Scheme, 2019 — information regarding victim compensation, interim/final compensation, rehabilitation support and legal services authority mechanism, where applicable. Witness Protection Scheme, 2018 — protective measures and referral where threat

	wherever possible, ensure that the statement of the child is also recorded by audio-video electronic means. (12) The Magistrate shall ensure that the statement of a victim of sexual offence, child, vulnerable witness or person with disability is recorded in a manner that avoids secondary victimisation, protects dignity and privacy, and prevents unnecessary exposure to the accused. (13) The Magistrate may, where necessary, use screens, separate waiting areas, video-conferencing facilities, vulnerable witness deposition centres, interpreter assistance, sign-language assistance, or other reasonable accommodation. (14) The Investigating Officer shall take immediate steps for medical examination of the victim in accordance with Section 184 of the Bharatiya Nagarik Suraksha Sanhita, 2023, where applicable. Such examination shall be conducted only with the consent of the woman or of a person competent to give such consent on her behalf, and the woman shall be sent to the registered medical practitioner within twenty-four hours from the time of receiving information relating to commission of the offence. (15) The registered medical practitioner shall forward the medical report in accordance with Section 184 of the Bharatiya Nagarik Suraksha Sanhita, 2023. The Investigating Officer shall forward such	perception exists. Supreme Court in *A v. State of Uttar Pradesh*,— copy of victim's statement to Investigating Officer with confidentiality direction; accused entitled to copy only after cognizance/process and at statutory supply stage. Patna High Court Circular Order No. 06 of 2025 / *CBI v. Mir Usman @ Ara @ Mir Usman Ali*, 2025 INSC 1155 — early recording of eye-witness statements under Section 164 Cr.P.C. / corresponding BNSS provision and audio-video electronic means. Medical Examination of Survivors/Victims of Sexual Violence: A Handbook for Medical Officers — informed consent, treatment, medical care and medico-legal examination safeguards.

	report to the Magistrate as part of the documents submitted with the police report, and where necessary, place a copy before the Magistrate recording the statement. (16) In cases involving children under the Protection of Children from Sexual Offences Act, 2012, medical examination shall be conducted in accordance with the provisions of that Act, with due regard to the presence of parent, guardian, person of trust or woman nominated by the head of the medical institution, as the case may be. (17) The statement recorded under Section 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023 shall be forwarded to the Magistrate or Court by whom the case is to be inquired into or tried. (18) A copy of the statement recorded under Section 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023 may be furnished to the Investigating Officer for the purpose of investigation with a specific direction that its contents shall not be disclosed to any person except in accordance with law. (19) In cases involving sexual offences, copies of statements recorded under Section 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023 shall not be furnished to the accused or any other person until the stage contemplated by law for supply of copies, after cognizance and issuance of process, unless otherwise directed by a competent Court.	

	(20) At the stage of recording the statement of a victim of sexual offence, child, person with disability, vulnerable witness or protected witness, the Magistrate shall, where appropriate, inform such person or record that such person has been informed about availability of legal aid, victim compensation scheme, support person, interpreter or translator assistance, special educator, shelter or crisis support, medical and counselling assistance, protective measures and witness protection, as may be applicable. (21) In every case under this Rule, the identity, address, school, workplace, shelter home, safe location or other identifying particulars of the victim, child, vulnerable witness or protected witness shall not be disclosed in any process, order, copy, upload, cause list or public record, except where disclosure is legally necessary and subject to safeguards directed by the Court.	
New Rule.	**Rule 29-D: Custody, transmission, supply and confidentiality of statements and confessions recorded under Section 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023.** (1) Every confession or statement recorded under Section 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023 shall be treated as part of	Section 183(7), Bharatiya Nagarik Suraksha Sanhita, 2023 — forwarding of confession or statement to Magistrate or Court by whom case is to be inquired into or tried. Section 230, Bharatiya Nagarik Suraksha Sanhita,

	the judicial record and shall be transmitted, preserved and supplied only in accordance with law and this Rule. (2) The original confession or statement shall be forwarded in sealed cover or through such secure electronic mode as may be approved by the High Court to the Magistrate or Court by whom the case is to be inquired into or tried. (3) The sealed cover or secure electronic transmission shall bear the case number, police station, name of the person whose statement or confession is recorded, date and time of recording, name and designation of the recording Magistrate, and necessary endorsement regarding confidentiality. (4) Where the confession or statement has been recorded by audio-video electronic means, the electronic record shall be preserved securely with appropriate identification particulars, including file name, date and time of recording, device or system used, hash value where generated, and certificate or endorsement as may be required by law. (5) Access to audio-video records, electronic records, transcripts, translations or copies of statements shall be regulated by the Court and shall be subject to statutory restrictions, privacy requirements and confidentiality directions.	2023 — supply of copies to accused. Bharatiya Sakshya Adhiniyam, 2023 — electronic/digital records and certificate for electronic records. Information Technology Act, 2000 — electronic records and digital authentication. Criminal Rules of Practice, 2019, High Court of Judicature at Madras — procedure for sealed transmission, certified copies and custody of confession statements. Criminal Rules of Practice, Kerala, 1982 — duplicate record and register of confessions/statements. Supreme Court in *A v. State of Uttar Pradesh*, - confidentiality and stage of supply of statements recorded under Section 164 Cr.P.C. / corresponding BNSS provision. Patna High Court Draft Amended Guidelines for Recording Evidence of Vulnerable Witnesses,

	(6) A certified copy of a confession or statement may be furnished to the Investigating Officer where permissible in law or where directed by the Court, subject to such terms as the Court considers necessary to prevent unauthorised disclosure. (7) In cases involving sexual offences, children, vulnerable witnesses, protected witnesses, or persons with disability, no copy of the statement, transcript, audio-video record, electronic record or identifying material shall be supplied, uploaded, published or disclosed except in accordance with law and under orders of the Court. (8) The right of the accused to receive copies of statements, confessions and documents shall arise at the stage and in the manner provided by the Bharatiya Nagarik Suraksha Sanhita, 2023, including Section 230 thereof, or under any special law applicable to the case. (9) The recording Magistrate shall maintain a register of confessions and statements recorded under Section 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023, containing the following particulars— (a) serial number; (b) police station and case number; (c) name of accused, victim or witness, subject to confidentiality requirements; (d) date and time of first production;	2025/2026 — confidentiality of vulnerable-witness statements, personal identifying information, restricted inspection, sealed or restricted custody of records, prohibition on copying, sharing, loaning, selling, publishing, uploading or showing audio-video recordings without Court order, redaction of identifying particulars and destruction or retention of audio/video records as per High Court rules. Witness Protection Scheme, 2018 — protection of identity and safety where threat perception exists. Maharashtra eSakshya Management Rules, 2025 — secure storage, hash value, time-stamp, geo-location, immutable storage, controlled access and electronic record management through CIS/ICJS principles.

	(e) time allowed for reflection, where applicable; (f) date, time and place of recording; (g) mode of recording, physical or audio-video electronic means; (h) whether interpreter, translator, special educator, advocate, support person or woman was present, where required by law; (i) date and mode of dispatch to jurisdictional Court; (j) acknowledgment of receipt; and (k) remarks regarding sealed cover, confidentiality or restricted access. (10) The register may be maintained in physical or electronic form, as directed by the High Court. (11) Statements and confessions recorded under Section 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023 and electronic records connected therewith shall not be destroyed, deleted or altered except in accordance with the record retention rules or specific orders of the competent Court. (12) Where any Court finds that unauthorised access, leakage, publication or disclosure of a confidential statement or audio-video record has occurred, it shall record the fact and may report the matter to the District Judge or the High Court for appropriate action. (13) Where the statement of a child, victim of sexual offence, vulnerable witness, protected witness or person with disability has been	

	recorded by audio-video electronic means, the recording shall be kept in sealed or otherwise secured custody, and access shall be allowed only under orders of the Court. (14) No audio-video recording, transcript, electronic copy, storage device, cloud file, extract or duplicate relating to such statement shall be copied, shared, loaned, sold, published, uploaded, transmitted or shown to any person except under a specific order of the Court and subject to such safeguards as may be imposed for privacy, safety, identity protection and fair-trial rights. (15) Where certified copies are legally required to be supplied, the Court may direct redaction or masking of address, school, workplace, shelter home, safe location, contact details, digital identifiers or other identifying particulars, unless disclosure is legally necessary and subject to safeguards directed by the Court. (16) Audio-video statements and related electronic records shall be retained, transferred, sealed, archived or destroyed only in accordance with High Court rules, record-retention directions or specific orders of the competent Court, and no deletion, overwriting or alteration shall be permitted except as authorised by law.	
	CHAPTER IV	

	COMPLAINTS TO MAGISTRATES **RULES 30 TO 32-B** ***This chapter includes:- receipt and registration of complaints; e-filing and digital material; complaint register; protest petitions; examination of complainant and witnesses; BNSS Section 223 hearing requirements; complaints against public servants; sanction/statutory preconditions; Section 225 inquiry/investigation; caution against mechanical police reference; dismissal and issue of process; second complaints; limitation; order-writing discipline and adjournment control.***	
Rule 30. COMPLAINTS UNDER SECTIONS 200–203, CR.P.C. Complaints should be received daily at fixed hours ordinarily at the commencement of the day's sitting. They should be immediately numbered in the order of their receipt and entered in the Register to be kept in Form No. (R) 1. When a case is made over for	**Rule 30: Receipt, registration and numbering of complaints.** (1) Complaints shall be received on every working day during such fixed hours as may be notified by the Court, ordinarily at the commencement of the day's sitting. (2) Every complaint presented physically shall bear the date and time of presentation and shall be entered immediately in the register of complaints in the order of its receipt. (3) Where e-filing facility is available, a complaint may be presented electronically in such manner as may be permitted by the High Court. The date and time generated by the e-filing system shall be treated as the date and time of presentation. (4) Every complaint shall be assigned a serial number or complaint registration number before it is placed before the Magistrate for orders.	Existing Rule 30, Chapter IV, Criminal Court Rules of the High Court of Judicature at Patna. Sections 2(1)(h), 223, 224, 225, 226 and 227, Bharatiya Nagarik Suraksha Sanhita, 2023. Section 530, Bharatiya Nagarik Suraksha Sanhita, 2023. Bharatiya Sakshya Adhiniyam, 2023 — electronic and digital records as documentary evidence. Information Technology Act, 2000. Patna High Court Circular Order No. 05 of 2024 — non-disclosure of caste/religion in

trial to another officer, an entry to this effect should be made in the column for preliminary orders.	(5) The register of complaints shall be maintained in physical or electronic form and shall contain, as far as practicable— (a) serial number; (b) date and time of presentation; © name and address of complainant; (d) available mobile number, e-mail address or other electronic contact details of the complainant; (e) name, description and address of accused, so far as known; (f) police station, place of occurrence and date of occurrence, if available; (g) offences alleged; (h) list of witnesses, if any; (i) list of documents, electronic records or material objects relied upon; (j) mode of filing, physical or electronic; (k) preliminary order passed by the Magistrate; and (l) order of transfer or making over, if any. (6) Where a complaint is accompanied by documents, electronic records, photographs, audio-video material, screenshots, messages, e-mails, social media material or other digital material, the same shall be separately indexed and noted in the register. Where any certificate, hash	proceedings unless legally necessary. Jharkhand Criminal Court Rules — Chapter IV, Complaints under Sections 200 to 203 Cr.P.C. Jharkhand Judicial Academy Handbook on Criminal Trial — protest petition may be registered as a complaint case in appropriate circumstances.

	value, storage device or authentication detail is produced, it shall also be recorded. (7) No complaint shall be refused registration merely because any electronic record, certificate or authentication detail is not filed at the time of presentation; however, the Court may require the complainant to cure filing defects or furnish necessary particulars before further orders are passed. (8) Where a complaint or protest petition is founded on facts which were the subject of any earlier complaint, protest petition, police report or final report, the complainant shall disclose the particulars of such earlier proceeding and the order passed thereon, if known. (9) A protest petition which is directed to be treated as a complaint shall be entered in the register of complaints and shall thereafter be dealt with in accordance with the provisions relating to complaint cases. (10) Where a case is made over or transferred to another Magistrate, an entry to that effect shall be made in the register under the column for preliminary orders or remarks, indicating the date of such order and the Court to which the case has been made over or transferred. (11) The caste or religion of any party shall not be mentioned in the complaint, index, register, cause title or memo of parties, unless such disclosure is legally necessary for adjudication of the offence alleged.	

	(12) Complaints instituted under special laws or complaints deemed to be complaints under the Bharatiya Nagarik Suraksha Sanhita, 2023 shall also be entered in the register of complaints, unless a separate register is prescribed.	
Rule 31. EXAMINATION OF COMPLAINANT AND WITNESSES. The examination of the complainant and the witnesses present, if any, is not to be a mere form, but an intelligent enquiry into the subject-matter of the complaint carried far enough to enable the Magistrate to exercise his judgment as to whether there is or is not sufficient ground for proceeding. **NOTE—** Statement of complainant and the witnesses present, if	**Rule 31: Examination of complainant and witnesses.** (1) Upon presentation of a complaint, the Magistrate shall examine the complainant and the witnesses present, if any, upon oath, in accordance with Section 223 of the Bharatiya Nagarik Suraksha Sanhita, 2023, unless such examination is dispensed with by law. (2) Such examination shall not be a mere formality. It shall be an intelligent inquiry into the subject-matter of the complaint, carried far enough to enable the Magistrate to determine whether there is sufficient ground for proceeding. (3) The Magistrate shall, during such examination, ascertain, as far as may be necessary— (a) the identity and capacity of the complainant; (b) the date, time and place of occurrence; (c) the role attributed to each accused; (d) the nature of evidence in support of the complaint; (e) the names and particulars of witnesses, if any;	Existing Rule 31, Chapter IV, Criminal Court Rules of the High Court of Judicature at Patna. Section 223, Bharatiya Nagarik Suraksha Sanhita, 2023 — examination of complainant and witnesses; exceptions for public servant/Court complaints; making over of case. Sections 224 to 227, Bharatiya Nagarik Suraksha Sanhita, 2023. Section 530, Bharatiya Nagarik Suraksha Sanhita, 2023. Bharatiya Sakshya Adhiniyam, 2023 — electronic/digital records. Patna High Court Draft Amended Guidelines for Recording Evidence of Vulnerable Witnesses, 2025/2026 — competence assessment of vulnerable witnesses by

any, should ordinarily be recorded on the back of the petition.	(f) whether any complaint, FIR, protest petition, final report or proceeding on the same facts has previously been filed; (g) whether sanction, previous approval or statutory protection appears to be attracted; and (h) whether the complaint discloses facts requiring urgent protection, preservation of evidence or any interim direction permissible in law. (4) The statement of the complainant and witnesses present shall be recorded in writing, or electronically where facility is available, in the language of the Court or in such other language as may be legally permissible. Where necessary, the statement shall be interpreted or translated to the person examined. (5) The statement shall ordinarily be recorded separately in the order-sheet, deposition sheet or electronic record maintained for the case, and shall not be casually endorsed on the complaint petition in a manner likely to affect legibility, preservation or certified copying. (6) The Magistrate may record the examination in question-and-answer form wherever necessary, particularly where the facts are complex, the complaint is serious, the complainant is vulnerable, or the Magistrate considers such form necessary for clarity. (7) The complainant and the witnesses examined shall sign or affix thumb impression on their statements. The Magistrate shall certify that	the Presiding Judge/Magistrate, use of simple and age-appropriate questions, prohibition on general knowledge/current affairs/philosophical questions for determining competence, and assistance of support person, interpreter, translator, special educator, sign-language interpreter or person familiar with the communication mode of the witness. Protection of Children from Sexual Offences Act, 2012; Juvenile Justice (Care and Protection of Children) Act, 2015; Rights of Persons with Disabilities Act, 2016, Section 12; Mental Healthcare Act, 2017. Jharkhand Judicial Academy Handbook on Criminal Trial — examination of complainant is to determine whether complaint is justifiable or vexatious, and

	the statement was recorded in his presence and hearing and was read over or interpreted to the person examined and admitted to be correct. (8) Where the complaint relies on electronic records, audio-video material, screenshots, messages, e-mails, social media material, CCTV footage or other digital material, the Magistrate shall note the nature of such material and may direct production, preservation or authentication thereof in accordance with law. (9) Where the complainant or witness is a child, victim of sexual offence, person with disability, vulnerable witness, person under threat, elderly person, or person requiring assistance, the Magistrate shall adopt a procedure consistent with dignity, privacy, accessibility and safety, including interpreter, translator, special educator, support person, video-conferencing facility or other reasonable accommodation, as may be necessary. (10) Where the complainant or witness is a child, victim of sexual offence, person with disability, vulnerable witness, person with mental illness or person requiring communication assistance, the Magistrate shall, where necessary, make a preliminary assessment of the ability of such person to understand questions and give rational answers, using simple, age-appropriate and non-intimidating questions.	examination itself does not necessarily mean cognizance has been taken. Madras Criminal Rules of Practice, 2019 — procedural discipline in recording statements and maintenance of criminal registers/forms.

	(11) Such competence assessment shall not be conducted by putting questions relating to general knowledge, current affairs, philosophy, abstract morality or matters unrelated to the ability of the person to understand and answer questions relevant to the proceeding. (12) During such assessment or examination, the Magistrate may permit the presence or assistance of a support person, interpreter, translator, special educator, sign-language interpreter, person familiar with the communication mode of the witness, guardian, person of trust or such other person as may be necessary, while ensuring that the statement remains voluntary and uninfluenced. (13) The Magistrate shall record, in brief, the special measure or assistance permitted and shall ensure that the questions put to such person are clear, simple and not harassing, humiliating, repetitive or confusing. (14) Where the complaint is made in writing by a public servant acting or purporting to act in discharge of official duties, or where the complaint is made by a Court, the Magistrate may dispense with examination of the complainant and witnesses to the extent permitted by Section 223 of the Bharatiya Nagarik Suraksha Sanhita, 2023. (15) If the Magistrate makes over the case to another Magistrate after examining the complainant and witnesses, the Magistrate to whom the	

	case is made over need not re-examine them, unless he considers such re-examination necessary in the interest of justice. (16) The Magistrate shall distinguish, in the order-sheet, between mere presentation or registration of complaint, examination of complainant, taking cognizance, postponement of process, dismissal of complaint and issue of process. (17) In complaints involving offences triable exclusively by the Court of Session, the Magistrate shall follow the special requirements of the Bharatiya Nagarik Suraksha Sanhita, 2023 before issuing process or dismissing the complaint.	
Rule 32. USE OF POLICE AGENCY. Magistrates are cautioned against the indiscriminate use of police agency for the purpose of ascertaining matters as to which a Magistrate is bound to form his opinion upon evidence given in his presence. This caution is	**Rule 32: Caution in directing inquiry or investigation in complaint cases.** (1) A Magistrate dealing with a complaint shall not make indiscriminate or mechanical use of the police agency for ascertaining matters upon which he is required by law to form his opinion on the complaint, the statement of the complainant and the witnesses present, if any, and the materials produced before him. (2) Before directing any inquiry or investigation under Section 225 of the Bharatiya Nagarik Suraksha Sanhita, 2023, the Magistrate shall apply his judicial mind to the complaint, the statement on oath,	Existing Rule 32, Chapter IV, Criminal Court Rules of the High Court of Judicature at Patna. Section 225, Bharatiya Nagarik Suraksha Sanhita, 2023 — postponement of issue of process, mandatory postponement where accused resides outside jurisdiction, inquiry/investigation, and restrictions on ordering investigation. Sections 223, 226 and 227, Bharatiya

especially needful in respect of all cases regarding offences not cognizable by the police.	documents and other materials, and shall record a brief order indicating why such inquiry or investigation is considered necessary. (3) The order directing inquiry or investigation shall, as far as practicable, specify— (a) the person or agency by whom the inquiry or investigation is to be conducted; (b) the specific matter or limited purpose for which inquiry or investigation is required; (c) whether documents, electronic records, CCTV footage, call records, medical records, public records or other material are to be verified or preserved; (d) the time within which the report is to be submitted; and (e) whether the proceeding shall remain pending for further orders after receipt of report. (4) In respect of offences not cognizable by the police, the Magistrate shall exercise special caution before seeking assistance of the police and shall ensure that no investigation is undertaken except in accordance with law and within the limits of the order passed by the Court. (5) No direction for investigation under Section 225 of the Bharatiya Nagarik Suraksha Sanhita, 2023 shall be made where the offence complained of is triable exclusively by the Court of Session. (6) Where the complaint has not been made by a Court, no direction for investigation under Section 225 of the Bharatiya Nagarik Suraksha	Nagarik Suraksha Sanhita, 2023. Bharatiya Sakshya Adhiniyam, 2023 — electronic/digital records. Information Technology Act, 2000. Patna High Court Circular Order No. 07 of 2024 — proactive Magistrate intervention in child protection matters under preventive jurisdiction. Jharkhand Judicial Academy Handbook on Criminal Trial — Magistrate may inquire himself or direct inquiry/investigation only for deciding whether sufficient ground exists; adverse police report does not substitute judicial consideration.

	Sanhita, 2023 shall ordinarily be made unless the complainant and witnesses present, if any, have first been examined on oath under Section 223 thereof. (7) Where the accused is residing at a place beyond the area in which the Magistrate exercises jurisdiction, the Magistrate shall postpone the issue of process and proceed in accordance with Section 225 of the Bharatiya Nagarik Suraksha Sanhita, 2023. (8) A direction for inquiry or investigation under Section 225 of the Bharatiya Nagarik Suraksha Sanhita, 2023 shall not be treated as an order issuing process against the accused. It shall be only for assisting the Magistrate in deciding whether there is sufficient ground for proceeding. (9) Where the complaint relies on electronic or digital material, the Magistrate may, before deciding whether to issue process, direct preservation, production, certification or authentication of such material in accordance with law. (10) The police officer or other person directed to conduct inquiry or investigation shall confine himself to the scope of the order and shall submit a report within the time fixed by the Magistrate. If further time is required, reasons shall be placed before the Court before expiry of the time fixed.	

	(11) Upon receipt of the report under Section 225 of the Bharatiya Nagarik Suraksha Sanhita, 2023, the Magistrate shall consider the complaint, statements on oath, documents, materials and the report, and shall thereafter pass an order in accordance with law either dismissing the complaint or issuing process. (12) The Magistrate shall not dismiss a complaint merely on the basis of an adverse police report without considering the statement of the complainant, the witnesses, if any, and the materials produced in support of the complaint. (13) Where the complaint discloses urgency involving threat to life, bodily safety, sexual offence, child protection, vulnerable witness safety, destruction of evidence or imminent loss of electronic evidence, the Magistrate may pass such lawful protective, preservation or interim directions as the circumstances require.	
New Rule.	**Rule 32-A: Complaints against public servants and cases requiring sanction, approval or statutory preconditions.** (1) Where a complaint is filed against a public servant for an offence alleged to have been committed in the course of discharge of official functions or duties, the Magistrate shall comply with Section 223(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 before taking cognizance.	Section 223(2), Bharatiya Nagarik Suraksha Sanhita, 2023 — complaint against public servant for offence alleged in course of official functions/duties. Section 218, Bharatiya Nagarik Suraksha Sanhita, 2023 — prosecution of Judges and

	(2) In such cases, no cognizance shall be taken unless— (a) the public servant is given an opportunity to make assertions as to the situation that led to the incident alleged; and (b) a report containing facts and circumstances of the incident is received from the officer superior to such public servant. (3) Where any sanction, previous approval, complaint by specified person, leave of Court, or other statutory precondition is required under the Bharatiya Nagarik Suraksha Sanhita, 2023 or any special law, the Magistrate shall consider such requirement at the appropriate stage and record due consideration thereof. (4) Where the complaint relates to a Judge, Magistrate, public servant, member of Armed Forces, police officer, officer acting under colour of official duty, or any person protected by a special statute, the order taking cognizance or declining cognizance shall indicate application of mind to the relevant statutory protection, if any. (5) Where the complainant seeks time to produce sanction, approval, authorisation or leave, the Magistrate may grant reasonable time or pass such order as may be appropriate in accordance with law. (6) Nothing in this Rule shall prevent the Magistrate from receiving and registering the complaint, but further proceedings shall be regulated by	public servants. Sections 219 and other cognizance-restricting provisions of the Bharatiya Nagarik Suraksha Sanhita, 2023. Existing comments to Chapter IV, Patna Criminal Court Rules, on complaint cases involving sanction and prosecution of public servants/police officers. Jharkhand Judicial Academy Handbook on Criminal Trial — statutory restrictions on cognizance and sanction requirements.

	the statutory preconditions applicable to the offence or person concerned.	
New Rule.	**Rule 32-B: Orders on complaints, second complaints and protest petitions.** (1) After considering the complaint, the statements on oath, the documents and materials produced, and the result of inquiry or investigation, if any, the Magistrate shall pass an order in accordance with law. (2) Where the Magistrate is of opinion that there is no sufficient ground for proceeding, the complaint shall be dismissed under Section 226 of the Bharatiya Nagarik Suraksha Sanhita, 2023 by a brief order recording reasons. (3) Where the Magistrate is of opinion that there is sufficient ground for proceeding, process shall be issued under Section 227 of the Bharatiya Nagarik Suraksha Sanhita, 2023. The order shall indicate due application of mind to the complaint, statement on oath, documents and materials relied upon, without requiring a detailed evaluation of evidence at that stage. (4) Where the complaint is filed beyond the period of limitation prescribed by law, the Magistrate shall consider the provisions relating to limitation before taking cognizance.	Sections 226 and 227, Bharatiya Nagarik Suraksha Sanhita, 2023 — dismissal of complaint and issue of process. Sections 223 and 225, Bharatiya Nagarik Suraksha Sanhita, 2023. Sections 514 and 515, Bharatiya Nagarik Suraksha Sanhita, 2023 — limitation for taking cognizance of certain offences. Existing comments to Chapter IV, Patna Criminal Court Rules — second complaint, meaningful complaint scrutiny, and inquiry under Section 202 Cr.P.C. / corresponding BNSS provision. Jharkhand Judicial Academy Handbook on Criminal Trial — final report, protest petition, registration of protest petition as complaint, and options before Magistrate. Patna High

	(5) A second or subsequent complaint on the same facts shall not be rejected merely on that ground. The Magistrate shall consider whether the earlier order was passed on incomplete record, misunderstanding of the nature of complaint, manifest error, absence of reasons, emergence of new facts which could not with reasonable diligence be brought earlier, or other legally permissible grounds. (6) Where a protest petition is filed after submission of final report by police, the Magistrate may— (a) accept the final report after hearing the informant/complainant where required by law; (b) disagree with the police report and proceed in accordance with law on the materials available; or (c) treat the protest petition as a complaint and proceed under the provisions relating to complaint cases. (7) Where a protest petition is treated as a complaint, the complainant and witnesses present, if any, shall be examined in accordance with Section 223 of the Bharatiya Nagarik Suraksha Sanhita, 2023, unless such examination is dispensed with by law. (8) Where the police report recommends prosecution for false information or false complaint and a protest petition on the same matter is treated as a complaint, the Magistrate shall proceed in such manner as avoids inconsistent parallel proceedings and shall pass appropriate orders in accordance with law.	Court Circular Order No. 06 of 2024 — orders to record presence of parties/counsel, purpose of adjournment and party seeking adjournment. Patna High Court Circular Order No. 06 of 2025 / *CBI v. Mir Usman @ Ara @ Mir Usman Ali* — expeditious inquiry/trial and avoidance of unnecessary adjournments.

	(9) Orders under this Rule shall record the presence of parties/counsel, the purpose of adjournment if any, the party seeking adjournment, and the reason for granting or refusing adjournment. (10) Complaints shall be dealt with expeditiously. Unnecessary adjournments at the stage of examination, inquiry, dismissal or issue of process shall be avoided.	
CHAPTER IV-A **BAIL** **RULES 32-A TO 32-I** ***The part covers :- filing of bail applications; disclosure of previous bail applications; disclosure of criminal antecedents; same-FIR/same-case listing; registry/system-generated report; time-bound disposal; status report by prosecution; victim/informant notice; anticipatory bail; default bail and undertrial release; sureties and bond procedure; release order; copy supply; legal aid information; bail register and monitoring.***		
Rule 32-A. BAIL. (i) The application for bail in non-bailable cases must ordinarily be disposed of within a period of 3 to 7 days from the date of first hearing. If the application is not disposed of within such period, the Presiding Officer	**Rule 32-A: Filing, disclosure and registration of bail applications.** (1) Every application for bail, anticipatory bail, cancellation of bail, modification of bail condition, default bail, release on bond, suspension of sentence or release pending appeal shall be presented in such form and manner as may be prescribed by the High Court. (2) Every bail application shall clearly mention, below the cause title and in bold letters, whether it is the first, second, third or any subsequent application filed by the applicant in the same case, FIR, complaint, police report, crime number, special case or proceeding.	Existing Rule 32-A, Chapter IV-A, Criminal Court Rules of the High Court of Judicature at Patna. Sections 478 to 489, Bharatiya Nagarik Suraksha Sanhita, 2023 — bail, bonds, sureties and release from custody. Sections 482 and 483, Bharatiya Nagarik Suraksha Sanhita, 2023 — anticipatory bail and special powers of

shall furnish reasons thereof in the order itself. Copy of the order and the reply to the bail application or status report by the police or prosecution, if any, shall be furnished to the accused on the date of pronouncement of the order itself. (ii) The Presiding Officer may, in an appropriate case, in its discretion, insist on a statement to be filed by the prosecutor in-charge of the case.	(3) Every bail application shall contain the following particulars, as far as applicable— (a) FIR number, complaint number, police station, district, case number and CNR number, if available; (b) offences alleged and maximum punishment prescribed; (c) date of arrest, date of remand and total period of custody undergone; (d) stage of investigation, inquiry, trial or appeal; (e) whether charge-sheet, complaint, police report or final report has been filed; (f) number of witnesses cited and number of witnesses examined, where trial has commenced; (g) details of previous bail applications filed by the applicant before any Court and orders passed thereon; (h) details of any pending bail application before any Court and, if none is pending, a clear statement to that effect; (i) details of bail applications filed by co-accused in the same case and orders passed thereon, if known; (j) criminal antecedents of the applicant, including pending cases, convictions, acquittals, discharge, quashing or closure reports, if any;	High Court/Court of Session regarding bail. Patna High Court Circular Order No. 01 of 2024 — disclosure of earlier/pending bail applications and same-FIR listing procedure. Patna High Court Circular Order No. 03 of 2024 — bail applications under Cr.P.C./special Acts arising out of same FIR, police case, agency case or complaint to be listed before same Judge. *Zeba Khan v. State of U.P.*, 2026 INSC 144 — disclosure of criminal antecedents, prior bail applications, coercive processes, custody status and trial progress in bail proceedings.

	(k) whether any non-bailable warrant, proclamation, attachment, look-out circular, or other coercive process has been issued against the applicant; and (l) any special statutory bar, victim/informant notice requirement, or condition precedent applicable to the bail application. (4) The applicant shall file an affidavit verifying the correctness of disclosures made under sub-rule (3). Suppression of material facts, previous bail orders, criminal antecedents or coercive processes may be treated as a ground for refusal, cancellation, modification of bail, or such other order as the Court considers appropriate. (5) The application shall be accompanied by copies of previous bail orders, rejection orders, surrender order, remand order, custody certificate, medical record or any other document relied upon, as far as available. (6) The filing section or office shall not reject a bail application merely for curable defects, but defects relating to non-disclosure of previous bail applications, pending bail applications, antecedents or case particulars shall be indicated and placed before the Court in accordance with directions of the High Court.	

	(7) Where e-filing facility is available, bail applications and annexures may be filed electronically, and the date and time generated by the filing system shall be treated as the date and time of presentation.	
New Rule.	**Rule 32-B: Registry verification and listing of bail applications.** (1) The Registry, filing section or office of the Court shall, as far as practicable, generate and place before the Court a system-generated report showing decided and pending bail applications arising out of the same FIR, complaint, police report, crime number, CNR number or proceeding. (2) All bail applications filed by different accused persons arising out of the same FIR, complaint, police case, investigation agency case or private/official complaint shall ordinarily be listed before the same Court or Judge who had earlier dealt with such bail application, subject to roster, availability and directions of the High Court. (3) Where earlier bail applications arising out of the same matter have been heard by more than one Judge or Court, listing shall be regulated in accordance with the directions issued by the High Court. (4) Successive bail applications of the same accused shall ordinarily be placed before the same Court or Judge which dealt with the earlier bail application, unless such Court or Judge is unavailable or the High Court otherwise directs.	Patna High Court Circular Order No. 01 of 2024. Patna High Court Circular Order No. 03 of 2024. *Zeba Khan v. State of U.P.*, 2026 INSC 144 — system-generated reports, same-crime bail history, disclosure of antecedents and pending bail applications.

	(5) The Investigating Officer or officer assisting the Public Prosecutor shall inform the Public Prosecutor about previous bail orders, pending bail applications, co-accused bail orders, criminal antecedents, coercive processes and relevant case status before the application is heard. (6) In private complaint cases where there is no FIR number, the CNR number, complaint number and case number shall be used for tracing previous or connected bail applications. (7) Any deviation from the listing requirement shall be brought to the notice of the Court with reasons.	
New Rule.	**Rule 32-C: Time-bound disposal of bail applications.** (1) An application for bail in a non-bailable case shall ordinarily be disposed of within a period of 2 months from the date of first effective hearing. (2) Where such application is not disposed of within the said period, the Court shall record reasons for the delay in the order-sheet or in the final order. (3) Applications for default bail, bail on medical grounds, bail in cases of women, children in conflict with law, aged or infirm persons, undertrial prisoners in long custody, and matters involving statutory timelines shall be taken up with appropriate urgency.	Existing Rule 32-A, Chapter IV-A, Patna Criminal Court Rules. Sections 478 to 483, Bharatiya Nagarik Suraksha Sanhita, 2023. *Anna Waman Bhalerao v. State of Maharashtra*, 2025 INSC 1114 — timely consideration of anticipatory bail and liberty considerations. Patna High Court Circular Order No. 06 of 2024 — orders to record presence, purpose of adjournment and party seeking adjournment.

	(4) Bail applications shall not be adjourned merely for want of routine status report where the necessary case record, custody position and prosecution response are otherwise available; however, the Court may require a status report where necessary for just decision. (5) Where the prosecution seeks time to file a status report, objection, case diary extract, injury report, criminal antecedent report or custody report, the Court shall fix a short date and indicate the material required. (6) Repeated adjournments in bail matters shall be avoided. Where adjournment is granted, the order shall record the party seeking adjournment and the reason therefor.	
New Rule.	**Rule 32-D: Status report, prosecution response and case diary material.** (1) The Court may, in an appropriate case, require the Public Prosecutor, Assistant Public Prosecutor, Investigating Officer or officer assisting the prosecution to file a written status report or statement relevant to the bail application. (2) Such status report may include— (a) stage of investigation, inquiry or trial; (b) date of arrest and custody period; (c) offences alleged and punishment prescribed; (d) specific role attributed to the applicant;	Existing Rule 32-A(ii), Patna Criminal Court Rules. Sections 478 to 483, Bharatiya Nagarik Suraksha Sanhita, 2023. *Zeba Khan v. State of U.P.*, 2026 INSC 144 — disclosure framework including custody, stage of trial, antecedents, previous bail and coercive processes. Bharatiya Sakshya Adhiniyam, 2023 — electronic/digital records.

	(e) recovery, seizure, injury, medical, forensic or electronic evidence status; (f) criminal antecedents and pending cases; (g) previous bail applications and orders; (h) status of co-accused bail applications; (i) likelihood of absconding, tampering, intimidation or repetition of offence; (j) victim/informant notice requirement; and (k) any special statutory restriction or condition. (3) The status report shall be supplied to the accused or his advocate, subject to such redaction or restriction as the Court may direct in the interest of investigation, witness protection, privacy, safety of victim, child protection or any statutory bar. (4) Where reliance is placed on electronic or digital material, the status report shall, where necessary, indicate the nature of the material and its preservation/authentication status. (5) Nothing in this Rule shall require disclosure of the case diary beyond what is permitted by law.	
New Rule.	**Rule 32-E: Consideration and order on bail application.**	Sections 478 to 483, Bharatiya Nagarik Suraksha Sanhita, 2023. *Anna Waman Bhalerao v. State of Maharashtra*,

	(1) Every order granting, refusing, cancelling or modifying bail shall reflect due application of judicial mind to the relevant facts and statutory provisions. (2) The Court shall consider, as far as applicable— (a) nature and gravity of accusation; (b) severity of punishment; (c) prima facie material; (d) role attributed to the accused; (e) custody period; (f) stage of investigation, inquiry or trial; (g) likelihood of absconding; (h) possibility of tampering with evidence or influencing witnesses; (i) criminal antecedents; (j) previous bail orders and parity with co-accused; (k) age, health, gender, disability or special vulnerability of the accused; (l) rights and safety of victim, informant and witnesses; (m) compliance with arrest and remand safeguards; and (n) any special statutory bar or condition. (3) The order shall avoid detailed findings on merits which may prejudice the trial.	2025 INSC 1114 — liberty, delay, documentary material and custodial interrogation considerations. *Zeba Khan v. State of U.P.*, 2026 INSC 144 — criminal antecedents, suppression, prior bail orders and relevant bail factors. Patna High Court Circular Order No. 01 of 2023 — Arnesh Kumar arrest and detention safeguards.

	(4) If bail is granted, the order shall specify conditions, bond amount, surety requirement, reporting requirement, travel restriction, non-contact condition, witness-protection condition, or any other lawful condition imposed. (5) If bail is refused, the order shall briefly state reasons and shall not prevent the applicant from filing a subsequent application on change in circumstances or as otherwise permissible in law. (6) In cases resting substantially on documentary, official, electronic or already seized material, the Court may consider whether custodial interrogation or continued custody is necessary, subject to the facts of the case and applicable law.	
New Rule.	**Rule 32-F: Victim, informant and special category notice in bail matters.** (1) Where any law requires notice to the Public Prosecutor, victim, informant, complainant or any other person before grant of bail, such notice shall be issued and served in accordance with law. (2) In cases where the accused is charged with offences triable exclusively by the Court of Session or punishable with imprisonment for life, the High Court or Court of Session shall comply with the notice requirement to the Public Prosecutor under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, unless dispensed with for	Section 483, Bharatiya Nagarik Suraksha Sanhita, 2023 — notice to Public Prosecutor and obligatory presence of informant/authorised person in specified offences. Protection of Children from Sexual Offences Act, 2012 — child-friendly procedure, support person and victim participation safeguards. Scheduled Castes and Scheduled Tribes (Prevention of

	reasons recorded in writing, and shall also ensure compliance with any victim, informant or special-category notice required by law. (3) In cases under Section 65 or Section 70(2) of the Bharatiya Nyaya Sanhita, 2023, the notice requirement to the Public Prosecutor and the presence of the informant or person authorised by him shall be complied with as required by Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023. (4) In cases under special statutes, including laws relating to children, sexual offences, scheduled castes and scheduled tribes, terrorism, narcotics or organised crime, bail shall be considered subject to the notice, hearing, restriction and satisfaction requirements under the special law. (5) Where the victim, informant or complainant is a child, victim of sexual offence, vulnerable witness, protected witness or person with disability, notice and hearing shall be conducted in a manner that protects identity, privacy, dignity and safety. (6) Non-appearance of the victim or informant after valid notice shall not by itself prevent disposal of the bail application, unless the statute otherwise provides or the Court considers adjournment necessary for reasons recorded.	Atrocities) Act, 1989 — Sections 15A, 18 and 18A; victim/dependent right to notice, hearing, written submissions and statutory restrictions including bar on anticipatory bail. Narcotic Drugs and Psychotropic Substances Act, 1985 — Section 37 special restrictions and twin conditions for bail. Patna High Court Draft Amended Guidelines for Recording Evidence of Vulnerable Witnesses, 2025/2026 — right of vulnerable victims/dependents to be informed of proceedings and decisions affecting their interests, protection of identity and safe participation. Witness Protection Scheme, 2018 — protection where threat perception exists. Juvenile Justice (Care and Protection of Children) Act, 2015; Rights of Persons with Disabilities Act, 2016, Section 12.

	(7) In cases under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, the victim or dependent shall be given notice and an opportunity of hearing in proceedings relating to bail, discharge, release, parole, conviction or sentence, and may file written submissions in accordance with Section 15A of that Act. (8) In cases under the Protection of Children from Sexual Offences Act, 2012, notice to the child, parent, guardian, support person or person in whom the child has trust or confidence shall be regulated in a child-friendly and identity-safe manner, and the child shall not be required to appear personally unless the Court considers it necessary and safe. (9) Notice to a victim, informant, complainant, child, vulnerable witness, protected witness or person with disability shall not disclose protected address, safe location, shelter home, school, workplace, phone number, electronic contact particulars or other identifying particulars, except where disclosure is legally necessary and subject to safeguards directed by the Court. (10) The Court may permit participation of the victim, informant, complainant, dependent, support person or authorised representative through written submissions, legal aid counsel, special public prosecutor, audio-video electronic means or other lawful mode, while ensuring privacy, dignity, safety and fair-trial rights.	

	(11) Nothing in this Rule shall dilute any special statutory restriction on bail, including Section 37 of the Narcotic Drugs and Psychotropic Substances Act, 1985, Sections 18, 18A and 15A of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, provisions of the Protection of Children from Sexual Offences Act, 2012, or any other special law imposing notice, hearing, bar, twin-condition or satisfaction requirements.	
New Rule.	**Rule 32-G: Default bail, undertrial release and custody monitoring.** (1) Applications claiming statutory/default bail shall be taken up on priority and decided in accordance with the custody period, stage of investigation and statutory entitlement under the Bharatiya Nagarik Suraksha Sanhita, 2023. (2) The Court shall verify the date of arrest, date and time of first remand, period of custody, date of filing of police report or complaint, and whether the accused has applied for and is prepared to furnish bail. (3) The Chief Judicial Magistrate and Sessions Judge shall ensure periodic monitoring of undertrial prisoners who may be entitled to consideration for release under Section 479 of the Bharatiya Nagarik Suraksha Sanhita, 2023 or any other applicable provision.	Section 187, Bharatiya Nagarik Suraksha Sanhita, 2023 — maximum period of detention during investigation and default bail. Section 479, Bharatiya Nagarik Suraksha Sanhita, 2023 — release of undertrial prisoner on bond/bail bond. Sections 484 to 487, Bharatiya Nagarik Suraksha Sanhita, 2023 — bond amount, bond of accused and sureties, surety declaration and discharge from custody. Patna draft material already

	(4) Jail authorities shall, as far as practicable, submit periodic custody statements in the manner directed by the High Court or District Judge, indicating prisoners eligible for consideration under statutory undertrial-release provisions. (5) Delay in furnishing sureties after grant of bail shall not result in unnecessary continued custody where the Court can consider personal bond, modification of conditions, verification through electronic means, or other lawful measures consistent with the facts of the case.	considered CJM supervision over custody/default bail timelines.
New Rule.	**Rule 32-H: Bonds, sureties, release order and verification.** (1) The amount of every bond or bail bond shall be fixed with due regard to the circumstances of the case and shall not be excessive. (2) The Court may accept affidavits or documents for determining the sufficiency or fitness of sureties and may, where necessary, direct verification through the concerned authority. (3) Every surety shall make a declaration stating the number of persons for whom he has stood surety, including the accused, with relevant particulars. (4) Bail conditions shall be incorporated in the bond or bail bond. (5) Once bond or bail bond is furnished and accepted, release order shall be issued without delay to the jail or authority concerned, physically or through electronic mode where available.	Sections 484, 485, 486, 487 and 488, Bharatiya Nagarik Suraksha Sanhita, 2023 — bond amount, surety, declaration, discharge from custody and insufficient sureties. Form No. 47, Bharatiya Nagarik Suraksha Sanhita, 2023 — bond and bail bond. Section 530, Bharatiya Nagarik Suraksha Sanhita, 2023 — electronic mode.

	(6) If the accused is liable to be detained in any other case, the release order shall clearly state that release is subject to such other lawful detention. (7) Where surety verification is delayed, the Court may pass suitable orders to prevent unnecessary custody, subject to the nature of offence, identity of accused, risk factors and applicable law.	
New Rule.	**Rule 32-I: Copy of bail order, legal aid information and record maintenance.** (1) Copy of the bail order, rejection order, cancellation order, modification order, and the reply/status report relied upon, if any, shall be furnished to the accused or his advocate on the date of pronouncement or as early as practicable thereafter. (2) Where a bail application is dismissed, the order supplied to the accused in custody shall be accompanied, wherever required, by information regarding availability of free legal aid for pursuing higher remedies. (3) The coversheet or intimation regarding legal aid shall contain the contact details of the concerned legal services authority or legal aid committee, as directed by the High Court. (4) Every Court shall maintain, physically or electronically, a bail register or bail module recording—	Existing Rule 32-A, Patna Criminal Court Rules — supply of bail order and status report to accused. Patna High Court Circular Order No. 02 of 2025 — coversheet informing convict/person concerned about availability of free legal aid facilities for pursuing higher remedies. Sections 484 to 487, Bharatiya Nagarik Suraksha Sanhita, 2023. Patna High Court Circular Order No. 01 of 2024 and Circular Order No. 03 of 2024 — bail case tracking and same-FIR listing discipline. Patna High Court Draft Amended Guidelines for Recording Evidence of

	(a) case number and FIR/complaint details; (b) name of applicant; (c) date of filing and first hearing; (d) custody status; (e) previous bail application details; (f) status report/reply filing date; (g) date of disposal; (h) result; (i) conditions imposed; (j) date of bond acceptance; and (k) date and mode of release order. (5) The District Judge or Chief Judicial Magistrate may periodically review pending bail applications, delay in furnishing status reports, delay in passing release orders, and cases where bail has been granted but the accused remains in custody for want of surety or procedural compliance. (6) Where bail is granted, refused, cancelled or modified in a case involving a child, victim of sexual offence, vulnerable witness, protected witness, person with disability, or victim/dependent under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, the Court shall ensure that the victim, informant, complainant, dependent, support person or authorised representative is informed of the order where required by law or directed by the Court. (7) Such intimation shall be given in an identity-safe manner and shall not disclose protected address, safe location, shelter home, school, workplace, phone number, electronic contact particulars or other identifying particulars of the victim, child, vulnerable witness or	Vulnerable Witnesses, 2025/2026 — right of vulnerable victims/witnesses to be informed of case progress and decisions affecting their interests, including custodial status and protective measures; confidentiality and non-disclosure of identifying information. Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, Section 15A — victim/dependent right to information, notice and participation. Protection of Children from Sexual Offences Act, 2012 — child-friendly procedure and victim support safeguards. Witness Protection Scheme, 2018. Rights of Persons with Disabilities Act, 2016, Section 12.

	protected witness, except where disclosure is legally necessary and subject to safeguards directed by the Court. (8) Where the order contains any condition relating to non-contact, non-intimidation, witness protection, residence restriction, travel restriction, reporting obligation, or protection of the victim or witness, the substance of such condition shall, where appropriate, be communicated to the victim, informant, complainant, dependent, support person or authorised representative.	
CHAPTER V **PROCEEDINGS IN CASES OF DISPUTES AS TO IMMOVABLE PROPERTY** **RULES 33 TO 33-D** ***This version keeps the chapter focused on its proper preventive purpose: breach of peace and actual possession/right of user, not adjudication of title. It also captures the key case-law cautions already printed with the existing Patna rule, especially against using these proceedings as a shortcut for civil litigation.***		
Rule 33. PROCEEDINGS UNDER SECTIONS 145 AND 147 CR.P.C. Final orders in proceedings under Sections 145 and 147 of the Code of Criminal Procedure should be drawn up in Forms	**Rule 33: Final orders in proceedings relating to disputes concerning land, water, boundaries, easements or other rights of user.** (1) Final orders in proceedings corresponding to Sections 145 and 147 of the Code of Criminal Procedure, 1973, namely proceedings under Sections 164 and 166 of the Bharatiya Nagarik Suraksha Sanhita, 2023, shall be drawn up in the prescribed High Court forms or in the	Existing Rule 33, Chapter V, Criminal Court Rules of the High Court of Judicature at Patna. Sections 164, 165 and 166, Bharatiya Nagarik Suraksha Sanhita, 2023 — disputes concerning land or water, attachment and receiver, and dispute concerning right of use of

25 and 27, Schedule II of the Code / High Court Forms Nos. (M) 51 and (M) 53, Vol. II, with such modifications being made therein, in accordance with the provisions of Section 476 of the Code, as the circumstances of each case may require.	corresponding forms under the Second Schedule of the Bharatiya Nagarik Suraksha Sanhita, 2023, with such variations as the circumstances of each case may require. (2) Every final order shall clearly state— (a) the names and descriptions of the parties; (b) the subject-matter of dispute, including plot number, khata number, khesra number, ward number, holding number, boundary description, water source, pathway, easement or right of user, as applicable; (c) the material relied upon for satisfaction regarding likelihood of breach of peace; (d) the date of preliminary order; (e) the claims of the parties regarding actual possession or right of user; (f) the evidence, affidavits, documents, police report, local inquiry report, revenue record, map, electronic record or other material considered; (g) the finding of the Magistrate on possession or right of user, as the case may be; (h) the operative direction issued; and (i) the effect of any order of competent civil court or other competent court brought to notice. (3) The final order shall not decide title or permanent civil rights, except to the limited extent necessary for maintaining public peace and deciding possession or right of user under the Bharatiya Nagarik Suraksha Sanhita, 2023. (4) The order shall be reasoned, concise and confined to the statutory purpose of preventing breach of peace or preserving public order.	land or water. Section 522, Bharatiya Nagarik Suraksha Sanhita, 2023 — use of forms in the Second Schedule with such variations as circumstances require. Jharkhand Criminal Court Rules, Chapter V, Rule 31 — final orders in proceedings under Sections 145 and 147 Cr.P.C. Patna Rule 33 case-law notes on civil/criminal parallel proceedings, Magistrate's independent assessment, and cautious use of Section 145 Cr.P.C. proceedings. Section 530, Bharatiya Nagarik Suraksha Sanhita, 2023; Maharashtra Electronic Processes Rules, 2025 — electronic process, eSign, CIS and electronic transmission of Court process.

	(5) A copy of the final order shall be supplied to the parties and shall also be sent to the concerned police station or revenue authority where action for enforcement, compliance, demarcation, attachment, receiver, restoration or maintenance of peace is required. (6) Where the order is generated or transmitted electronically, it shall bear the name of the Court, designation of the Magistrate, digital/electronic signature where available, and the image of the seal of the Court.	
New Rule.	**Rule 33-A: Preliminary order and satisfaction of likelihood of breach of peace.** (1) Proceedings under Section 164 or Section 166 of the Bharatiya Nagarik Suraksha Sanhita, 2023 shall not be initiated mechanically or merely because the dispute concerns immovable property. (2) The Executive Magistrate shall, before issuing a preliminary order, record satisfaction that a dispute exists concerning land, water, boundaries, crops, fisheries, rents or profits of immovable property, or a right of user, and that such dispute is likely to cause breach of peace. (3) Such satisfaction may be founded upon a police report, information received, complaint, application, revenue report, local inquiry, public authority report, electronic material or other material placed before the Magistrate.	Sections 164 and 166, Bharatiya Nagarik Suraksha Sanhita, 2023. Existing Rule 33 and case-law notes requiring cautious use of proceedings concerning possession and breach of peace. citing *Ram Sumer Puri v. State of U.P.*, *Prakash Chand Sachdeva v. State*, *Shanti Kumar Panda v. Shakuntala Devi*, and related principles on civil-court overlap, possession disputes and limited scope of preventive proceedings. Bharatiya Sakshya Adhiniyam, 2023 —

	(4) The preliminary order shall set out the grounds of satisfaction, describe the subject-matter of dispute with sufficient particulars, and require the parties concerned to attend and submit written statements of their respective claims regarding actual possession or right of user, as the case may be. (5) Where the dispute concerns land or water capable of precise identification, the order shall, as far as practicable, mention revenue particulars, municipal particulars, boundaries, map reference, geo-location, survey details or other identifying particulars. (6) The Magistrate shall not use proceedings under this Chapter as a substitute for a civil suit, partition proceeding, injunction proceeding, title adjudication or ordinary civil remedy. (7) The order-sheet shall show the date of initiation, date of preliminary order, service on parties, appearance of parties, filing of written statements, evidence taken, interim orders passed, and final disposal.	electronic/digital records as documentary evidence.
New Rule.	**Rule 33-B: Evidence, documents and electronic material in proceedings under Sections 164 and 166 BNSS.** (1) The Executive Magistrate shall consider the written statements, affidavits, documents and other evidence produced by the parties, and may receive such further evidence as may be necessary for deciding	Sections 164 and 166, Bharatiya Nagarik Suraksha Sanhita, 2023. Existing Rule 33 case-law notes: Magistrate's independent consideration of material, civil-court overlap, status quo/injunction orders,

	actual possession or right of user for the limited purpose of the proceeding. (2) The Magistrate is not bound by the police report alone and shall independently consider the material produced before him. (3) Revenue records, municipal records, rent receipts, maps, survey records, public authority reports, photographs, videos, CCTV footage, satellite images, geo-tagged photographs, electronic communications and other electronic or digital records may be considered in accordance with law. (4) Where electronic or digital records are relied upon, the Magistrate may require production of the original device, certified copy, Section 63 certificate under the Bharatiya Sakshya Adhiniyam, 2023, hash value, metadata, geo-location details or other authentication particulars, as may be necessary. (5) Evidence shall be confined to possession, dispossession, breach of peace, and right of user relevant to the proceeding; questions of title shall not be adjudicated except incidentally and only to the extent required by law. (6) Where any civil court or other competent court has passed an order relating to possession, status quo, injunction, receiver, partition, title or right of user concerning the same subject-matter, the parties shall place	and limited scope of Section 145 Cr.P.C. proceedings. Bharatiya Sakshya Adhiniyam, 2023 — electronic/digital records as documentary evidence. Maharashtra eSakshya Management Rules, 2025 — hash value, time-stamp, geo-location, electronic storage and ICJS/CIS access principles.

	a certified or authenticated copy of such order before the Executive Magistrate. (7) The Magistrate shall give due effect to orders of competent civil courts or other competent courts and shall avoid orders that create conflict, multiplicity or parallel adjudication.	
New Rule.	**Rule 33-C: Attachment, receiver and preservation of subject-matter.** (1) Where the Executive Magistrate considers the case to be one of emergency, or is unable to satisfy himself as to which party was in possession, or decides that none of the parties was in such possession, he may proceed in accordance with Section 165 of the Bharatiya Nagarik Suraksha Sanhita, 2023. (2) An order of attachment shall clearly identify the property attached and shall specify whether attachment is of land, building, crop, water body, fishery, rents, profits or other subject-matter of dispute. (3) Where attachment is ordered, the Magistrate may make arrangements for custody, preservation, management, harvesting, lease, deposit, accounting or protection of the property in accordance with law. (4) Where a receiver is appointed, the order shall specify the name and address of the receiver, duties of the receiver, property entrusted,	Section 165, Bharatiya Nagarik Suraksha Sanhita, 2023 — attachment and receiver in disputes concerning land or water. Existing Rule 33 and case-law notes on the limited preventive purpose of proceedings under Section 145 Cr.P.C. / corresponding BNSS provision. Section 522, Bharatiya Nagarik Suraksha Sanhita, 2023 — use of prescribed forms with necessary variations.

	manner of accounting, period of appointment, remuneration if any, and reporting requirement. (5) The receiver shall maintain accounts and submit periodic reports as directed by the Magistrate. Any money, rent, crop proceeds or other income received shall be deposited or dealt with as directed by the Magistrate. (6) Where the subject-matter is perishable, seasonal, crop-based, or likely to be wasted, the Magistrate may pass suitable preservation or sale orders after recording reasons. (7) The attachment or receiver arrangement shall continue only so long as legally necessary and shall be lifted, modified or made subject to orders of a competent civil court or other competent court, as required by law. (8) A copy of attachment or receiver order shall be sent to the concerned police station and revenue authority for compliance and maintenance of peace.	
New Rule.	**Rule 33-D: Local inquiry, inspection and demarcation.** (1) Where the Executive Magistrate considers that local inquiry, inspection, demarcation, map verification or identification of the subject-matter is necessary for deciding the proceeding, he may	Sections 164, 166 and corresponding local inquiry provision of the Bharatiya Nagarik Suraksha Sanhita, 2023. Section 522, Bharatiya Nagarik Suraksha Sanhita, 2023. Bharatiya

	proceed in accordance with the Bharatiya Nagarik Suraksha Sanhita, 2023 and issue appropriate directions. (2) The order for local inquiry shall specify the officer or person by whom it is to be conducted, the subject-matter to be inspected, documents or maps to be verified, and the date by which report shall be submitted. (3) The officer conducting local inquiry shall, as far as practicable, give notice to the parties, record the presence of parties, prepare or verify a sketch/map, note physical features, boundaries, possession indicators, access routes, water source, pathway or right of user, and submit a signed report. (4) The report may be accompanied by photographs, video, geo-tagged material, map, revenue sketch, measurement sheet, or other material, subject to authentication as required by law. (5) The local inquiry report shall be made available to the parties, and objections, if any, shall be considered before final order is passed. (6) Local inquiry shall not be used to decide title or substitute a civil trial; it shall be used only for the limited preventive purpose of the proceeding.	Sakshya Adhiniyam, 2023 — electronic/digital records as documentary evidence. Maharashtra eSakshya Management Rules, 2025 — time-stamp, geo-location, hash value and secure electronic evidence management principles.
	CHAPTER VI **COMMITMENT OF CASES TO THE COURT OF SESSION**	

	RULES 34 TO 35-E ***This aligns with :- supply of copies before committal; 90/180-day BNSS timeline; formal committal order; record and property transmission; electronic records and digital evidence; Public Prosecutor notification; witness list and witness scheduling; trial-date communication; accused's legal-aid need; victim/witness protection information; case and counter-case handling; complaint case plus police investigation situation; monitoring of delays and acknowledgements.***	
Rule 34. COMMITMENT OF CASES TO THE COURT OF SESSIONS. A Magistrate making a commitment to the Court of Sessions shall notify the same in Form No. (M)-7, Vol. II, without delay, to that Court, stating at the same time the number of days over which, in his opinion, the trial is likely to extend. The names of all witnesses with	**Rule 34: Order of commitment and transmission of record to the Court of Session.** (1) Where, in a case instituted on a police report or otherwise, the accused appears or is brought before the Magistrate and it appears that the offence is triable exclusively by the Court of Session, the Magistrate shall, after complying with Sections 230 or 231 of the Bharatiya Nagarik Suraksha Sanhita, 2023, as the case may be, commit the case to the Court of Session under Section 232 thereof. (2) Before passing the order of commitment, the Magistrate shall satisfy himself that copies of the police report, complaint, statements, confessions, documents, electronic records, and other material required to be supplied to the accused under Sections 230 or 231 of the Bharatiya	Existing Rule 34, Chapter VI, Criminal Court Rules of the High Court of Judicature at Patna. Sections 230, 231 and 232, Bharatiya Nagarik Suraksha Sanhita, 2023 — supply of copies and commitment of case to Court of Session. Section 530, Bharatiya Nagarik Suraksha Sanhita, 2023 — electronic mode. Madras Criminal Rules of Practice, 2019, Rule 33 — committal proceedings, supply of copies, no preliminary inquiry or charge, statement of case, record

their full addresses to be examined in the Court of Sessions shall be appended to the said notice. A copy of the same shall be sent to the Public Prosecutor simultaneously. The Public Prosecutor shall, within a fortnight of receipt of the copy, file in the Court of Sessions a list of witnesses whom he wants to be summoned in the case. The Sessions Judge shall then fix the date for trial and send intimation of the date and summons to be served on the witnesses directly to the Sub-divisional Judicial Magistrate concerned. He shall also send intimation of	Nagarik Suraksha Sanhita, 2023 have been duly supplied, or that inspection has been allowed where permitted by law. (3) Supply of documents in electronic form shall be treated as due supply where permitted by law, provided that the accused or his advocate is able to access such documents. (4) The Magistrate shall not conduct a preliminary inquiry or frame a charge at the stage of commitment where the offence is exclusively triable by the Court of Session. A formal order of commitment shall be passed. (5) The commitment proceedings shall be completed within ninety days from the date of taking cognizance. Where such period is required to be extended, the Magistrate may extend it for reasons to be recorded in writing, but not beyond one hundred and eighty days from the date of taking cognizance. (6) Where the time taken between cognizance and commitment exceeds ninety days, the order of commitment shall contain reasons for the delay and the extension granted. (7) The order of commitment shall specify— (a) police station case number, complaint number, case number and CNR number, if available; (b) names of accused committed for trial;	arrangement, property list, legal-aid inquiry and expeditious disposal. Kerala Criminal Rules of Practice, 1982, Rules 73 to 77 — proceedings paper, statement of case, plan of scene, expeditious committal and list of property.

the date fixed for trial to the District Magistrate and the Public Prosecutor. On receipt of the summons, the Sub-divisional Judicial Magistrate shall have them served on the witnesses in accordance with Section 62 Cr.P.C. The District Magistrate and local police shall be responsible to ensure attendance of witnesses on the dates fixed.	(c) offences for which the case is committed; (d) custody/bail status of each accused; (e) date of cognizance; (f) date of supply of copies; (g) date of commitment; (h) whether any accused is absconding or split-up proceeding is pending; (i) whether any application filed by accused, victim or authorised person is being forwarded; and (j) whether any property, electronic record, sealed article, forensic material or other material object is to be produced before the Court of Session. (8) The Magistrate shall notify the commitment without delay to the Court of Session in the prescribed form, physical or electronic, and shall state the number of days over which, in his opinion, the trial is likely to extend. (9) A list of all witnesses proposed to be examined before the Court of Session shall be appended to the notice of commitment, containing their full addresses, available mobile numbers, e-mail addresses, police station details and witness classification for expenses, wherever available.	

	(10) The Magistrate shall simultaneously send a copy of the notice of commitment and witness list to the Public Prosecutor, and may also transmit the same electronically through official e-mail, CIS, ICJS or any other approved platform. (11) The record of the case, documents and articles, if any, which are to be produced in evidence, shall be sent to the Court of Session in an indexed and properly arranged manner. (12) Where any application has been filed before the Magistrate by the accused, victim or any person authorised by such person in a case triable by the Court of Session, such application shall be forwarded to the Court of Session along with the committal record. (13) Where the accused is in custody, the Magistrate shall pass appropriate remand orders in accordance with law until commitment and shall ensure that the jail authority is informed of the commitment and the Court to which the accused is to be produced.	
Rule 35. NOTIFICATION OF SESSIONS TRIAL DATES. As soon as the dates of sessions trial are settled, a list showing the same shall be fixed in a conspicuous	**Rule 35: Fixing, publication and communication of Sessions trial dates.** (1) On receipt of the order of commitment and record, the Court of Session shall register and number the case without delay. (2) As soon as the date or dates for trial are settled, a list showing such dates shall be displayed on the notice board of the Court of Session and,	Existing Rule 35, Chapter VI, Criminal Court Rules of the High Court of Judicature at Patna. Section 232, Bharatiya Nagarik Suraksha Sanhita, 2023. Section 346, Bharatiya Nagarik Suraksha Sanhita, 2023 — expeditious

place in the Court. The Sub-divisional Judicial Magistrate concerned, on receipt of the dates fixed for trial from the Sessions Judge under Rule 34, shall also get them notified at a conspicuous place in his office. **NOTE 1.**Acknowledgement of the letter in Form No. (M)-7 notifying the commitment should invariably be required by the Magistrate making the commitment from the Court of Sessions; and in the event of none being received within a reasonable time, enquiry should be made to ascertain the cause. **NOTE 2.** A Magistrate should	where digital facilities exist, uploaded on the official website, CIS, e-Courts portal or electronic notice board. (3) The Court of Session shall communicate the date fixed for trial to the committing Magistrate, Chief Judicial Magistrate, District Magistrate, Superintendent of Police, Public Prosecutor, jail authority where the accused is in custody, and such other authority as may be necessary for production of accused and attendance of witnesses. (4) The committing Magistrate or the concerned Magistrate shall, on receipt of the trial dates, cause the same to be displayed in a conspicuous place in his Court or office and, where possible, on the digital notice board. (5) The Public Prosecutor shall, within fourteen days of receipt of the notice of commitment or within such shorter time as may be directed by the Court of Session, file a list of witnesses whom he proposes to have summoned for trial, indicating priority witnesses, vulnerable witnesses, official witnesses, medical/forensic experts and witnesses whose attendance requires special arrangement. (6) The Court of Session shall frame, as far as practicable, a schedule of constructive working days for examination of witnesses, having regard to custody cases, vulnerable witnesses, child witnesses,	trial and day-to-day examination of witnesses. Patna High Court Circular Order No. 06 of 2025 / *CBI v. Mir Usman @ Ara @ Mir Usman Ali*, 2025 INSC 1155 — day-to-day trial, no adjournment when witnesses are present, scheduling of constructive working days and use of prosecution agency for service of witnesses. Section 530, Bharatiya Nagarik Suraksha Sanhita, 2023 — electronic mode. Maharashtra Electronic Processes Rules, 2025 — electronic process, CIS, CCTNS, ICJS and electronic service.

furnish an explanation to the Court of Sessions in every case of delay of more than 7 days in notifying the date of commitment to that Court.	medical/forensic witnesses, official witnesses and the mandate of day-to-day trial. (7) Summons or process for witnesses may be issued through physical mode, electronic mode, police agency, Public Prosecutor, or such other mode as may be recognised by law and approved by the High Court. (8) The District Magistrate, Superintendent of Police, local police, prosecution agency and jail authority shall render necessary assistance to ensure attendance of witnesses and production of accused on the dates fixed. (9) Where witnesses are present before the Court of Session, their examination shall not be adjourned except for special reasons to be recorded in writing. (10) Acknowledgement of the notice of commitment sent to the Court of Session shall be obtained by the committing Magistrate. Where no acknowledgement is received within a reasonable time, the committing Magistrate shall make an enquiry and place the result on record. (11) In every case where there is delay of more than seven days in notifying the commitment to the Court of Session, the committing Magistrate shall furnish an explanation to the Court of Session and the Chief Judicial Magistrate.	

Rules 36 to 38. Deleted.	**Rule 35-A: Preparation and forwarding of record, documents and property.** (1) The committal record shall be paginated, indexed and arranged in proper order before transmission to the Court of Session. (2) The record shall include, as far as applicable— (a) FIR or complaint; (b) police report or complaint case record; (c) statements recorded during investigation; (d) statements and confessions recorded before Magistrate; (e) medical, forensic, scientific and expert reports; (f) seizure lists and production lists; (g) list of witnesses with complete particulars; (h) list of documents; (i) list of material objects and properties; (j) bail, custody and remand orders; (k) applications filed by accused, victim or authorised person; (l) orders relating to vulnerable witnesses, child witnesses, protected witnesses or identity protection; and (m) electronic records, digital media, transcripts, certificates and authentication material, where applicable.	Kerala Criminal Rules of Practice, 1982, Rules 73 to 77 — proceedings paper, statement of case, plan of scene, expeditious committal and list of property. Madras Criminal Rules of Practice, 2019, Rule 33 — statement of case, arrangement of record, descriptive property list, retention/calling of property and verification of valuable property. Sections 230, 231 and 232, Bharatiya Nagarik Suraksha Sanhita, 2023. Bharatiya Sakshya Adhiniyam, 2023 — electronic/digital records and certificate for electronic records. Maharashtra eSakshya Management Rules, 2025 — hash value, time-stamp, geo-location, secure electronic storage and electronic evidence management principles.

	(3) A statement of the case in the prescribed form shall be placed with the committal record. (4) In every case triable by the Court of Session, the Magistrate may, where necessary, require the police or complainant to file a plan, sketch, map, site plan, geo-tagged photograph or other identification material relating to the scene of occurrence, if not already filed. (5) A descriptive list of weapons, articles, documents, digital devices, electronic storage media, vehicles, valuables, seized property and other material objects connected with the case shall form part of the record. (6) Where valuable property is received by the Court, the same shall, as far as practicable, be photographed, verified, described and entered in the property register before transmission or retention. (7) If it is not practicable to send any property, valuable article, sealed sample, biological sample, digital device, electronic storage media or bulky article along with the record, the Magistrate shall record where it is kept and shall inform the Court of Session. (8) Where any electronic or digital record is transmitted, the Magistrate shall ensure, as far as practicable, that the record is accompanied by relevant certificate, hash value, metadata, chain of custody note or authentication particulars required by law.	

	(9) The Court of Session or the trial Court to which the case is made over may call for any property, article, document, digital device or electronic record from the committing Court whenever required for trial.	
New Rule.	**Rule 35-B: Legal representation, legal aid and information to accused at committal.** (1) At the time of commitment, the Magistrate shall ascertain whether the accused has engaged an advocate for trial before the Court of Session. (2) If the accused is not represented by an advocate, the Magistrate shall ask whether he desires to make his own arrangement for defence or requires legal aid. (3) Where the accused appears to be unable to engage an advocate, the Magistrate shall record the fact and intimate the Court of Session and the District Legal Services Authority or appropriate legal services institution for necessary action. (4) Where the accused is in custody, the jail authority shall also be informed of the committal Court, Sessions case number when assigned, next date and availability of legal aid. (5) Where the accused requires interpretation, translation, disability accommodation, sign-language assistance or any other reasonable	Madras Criminal Rules of Practice, 2019, Rule 33(9) — Magistrate to ask accused about defence arrangement and intimate Sessions Court where State defence counsel may be required. Section 341, Bharatiya Nagarik Suraksha Sanhita, 2023 — legal aid to accused at State expense in trials before Court of Session. Article 39-A, Constitution of India. Legal Services Authorities Act, 1987. Patna High Court Circular Order No. 02 of 2025 — information regarding free legal aid for higher remedies. Patna High Court Guidelines for Recording Evidence of Vulnerable Witnesses, 2025.

	accommodation, the Magistrate shall note the same in the committal order and communicate it to the Court of Session. (6) Where the victim, child witness, vulnerable witness or protected witness requires special measures, the Magistrate shall forward relevant applications or orders to the Court of Session in sealed or protected form, as appropriate. (7) At the stage of committal, the Magistrate shall consider and record, where applicable, whether the case involves a child, victim of sexual offence, vulnerable witness, protected witness, person with disability, person under threat perception, or victim/dependent entitled to special protection or participation under any special law. (8) Where such need appears from the record, the Magistrate may direct that the committal papers include, in sealed or restricted form where necessary, particulars relating to vulnerable witness deposition facility, support person, interpreter, translator, special educator, sign-language assistance, legal aid, victim compensation reference, witness protection order, identity protection order, non-disclosure direction, or any other protective or assistance measure already ordered or required to be considered by the Court of Session. (9) The Magistrate shall ensure that protected address, safe location, shelter home, school, workplace, phone number, electronic contact	Patna High Court Draft Amended Guidelines for Recording Evidence of Vulnerable Witnesses, 2025/2026 — application to every court including Juvenile Justice Boards; proactive identification of vulnerable witnesses; vulnerable witness deposition facilities; support person, interpreter, translator, special educator and communication assistance; privacy, identity protection and protection from secondary victimisation. Witness Protection Scheme, 2018 — referral and protective measures where threat perception exists. Protection of Children from Sexual Offences Act, 2012 — child-friendly procedure and support person. Juvenile Justice (Care and Protection of Children) Act, 2015 — best interest and child-friendly process. Rights of Persons with

	particulars or other identifying particulars of a child, victim, vulnerable witness or protected witness are not disclosed in the committal record except where legally necessary and subject to safeguards directed by the Court. (10) Nothing in this Rule shall affect the right of the accused to receive copies and material as provided by law, but such supply may be regulated by redaction, sealed cover, restricted inspection or other lawful protective measures where identity, privacy or safety protection is required.	Disabilities Act, 2016, Section 12. Bihar Victim Compensation Scheme, 2019 — compensation reference and victim rehabilitation support where applicable.
New Rule.	**Rule 35-C: Case and counter-case or connected case at committal stage.** (1) Where two or more cases arise out of the same transaction, or where there is a case and counter-case, and one of such cases is exclusively triable by the Court of Session, the Magistrate shall consider whether the connected case also ought to be committed to the Court of Session in accordance with law. (2) Where one case is committed under Section 232 of the Bharatiya Nagarik Suraksha Sanhita, 2023 and the connected or counter-case is not exclusively triable by the Court of Session but ought to be tried by that Court, the Magistrate may proceed under the corresponding	Madras Criminal Rules of Practice, 2019, Rule 33(4) and Rule 33(10) — case and counter-case, connected accused and commitment to Court of Session. Jharkhand Judicial Academy Handbook on Criminal Trial — case and counter-case should ideally be heard and disposed of by the same Court; Magistrate may commit connected case to Court of Session where one case is Sessions triable.

	enabling provision of the Bharatiya Nagarik Suraksha Sanhita, 2023 and record reasons. (3) Case and counter-case shall not be tried jointly merely because they arise out of the same occurrence; however, they shall, as far as practicable, be placed before the same Sessions Court and tried one after the other or in such manner as may be consistent with law. (4) The committal order shall specifically mention the existence of any connected case, counter-case, cross-case, split-up case, absconding accused, or related proceeding known to the Magistrate. (5) Copies of relevant orders in connected proceedings shall be forwarded to the Court of Session along with the committal record.	Sections 232 and 251, Bharatiya Nagarik Suraksha Sanhita, 2023.
New Rule.	**Rule 35-D: Complaint case and police investigation relating to same offence.** (1) Where, in a case instituted otherwise than on a police report, it is made to appear to the Magistrate during inquiry or trial that police investigation is in progress in relation to the offence which is the subject-matter of the complaint case, the Magistrate shall proceed in accordance with Section 233 of the Bharatiya Nagarik Suraksha Sanhita, 2023. (2) The Magistrate shall stay the inquiry or trial and call for a report from the police officer conducting the investigation.	Section 233, Bharatiya Nagarik Suraksha Sanhita, 2023 — procedure where police investigation and complaint case relate to same offence. Sections 230, 231 and 232, Bharatiya Nagarik Suraksha Sanhita, 2023.

	(3) If, on such police report, cognizance is taken against any person who is an accused in the complaint case, the Magistrate shall proceed in accordance with Section 233 of the Bharatiya Nagarik Suraksha Sanhita, 2023 and, where the offence is triable exclusively by the Court of Session, commit the case in accordance with law. (4) If the police report does not relate to any accused in the complaint case, or if cognizance is not taken on the police report, the Magistrate shall proceed with the complaint inquiry or trial in accordance with law. (5) Where both the complaint case and police case are committed or required to be placed before the Court of Session, the Magistrate shall forward the relevant records, reports and applications together, with a note explaining the procedural status of both cases.	
New Rule.	**Rule 35-E: Monitoring of committal proceedings and Sessions case transmission.** (1) Every Magistrate shall maintain a physical or electronic register of committal proceedings. (2) The register shall contain— (a) case number and CNR number; (b) police station or complaint number; (c) names of accused; (d) offences alleged;	Existing Rule 35, Notes 1 and 2, Chapter VI, Criminal Court Rules of the High Court of Judicature at Patna. Section 232, Bharatiya Nagarik Suraksha Sanhita, 2023 — 90-day timeline, extension up to 180 days with reasons and forwarding of applications. Kerala Criminal Rules of Practice, 1982, Rules 76, 78 and 150 —

	(e) date of cognizance; (f) date of supply of copies; (g) date of committal order; (h) date of transmission of record; (i) date of acknowledgement from Court of Session; (j) custody/bail status of accused; (k) property/material object transmission status; (l) date of assignment of Sessions case number, if received; and (m) reason for delay, if any. (3) The Chief Judicial Magistrate shall periodically review committal cases pending beyond ninety days from cognizance and shall call for explanations where necessary. (4) Delay beyond one hundred and eighty days from cognizance shall be reported to the District and Sessions Judge with reasons. (5) Where acknowledgement of the notice of commitment is not received from the Court of Session within a reasonable time, the Magistrate shall make an enquiry and record the result. (6) The Court of Session shall, on receipt of the committal record, communicate the Sessions case number and first date fixed to the committing Court, Public Prosecutor, jail authority where applicable, and such other authority as may be necessary.	expeditious committal, numbering of Sessions cases and submission of committal extracts. Madras Criminal Rules of Practice, 2019, Rule 33(8) — committal proceedings to be disposed of expeditiously and delay to be reported to CJM/CMM.

	(7) The District and Sessions Judge may issue administrative directions for removal of delay in supply of copies, transmission of records, service of witnesses, production of accused, and movement of property or electronic records.	
CHAPTER VII **SESSIONS BUSINESS** **RULES 39 TO 49-C** ***This includes :- priority and order of Sessions trials; capital sentence case expedition; sitting arrangements at multiple places; Sessions register and electronic register; case numbering and accused indexing; custody/absconding/proclaimed offender status; charge abstract and result tracking; adjournment discipline; previous conviction/enhanced punishment ; delay before commitment; culpable homicide findings; Sessions statements and monitoring; electronic exhibits/material objects; trial in absence/trial in absentia.***		
Rule 39 Sessions trials should be held in the order in which the commitments are notified to the Court of Sessions. The Sessions Judge should, however, exercise his discretion in the matter of giving priority to certain cases, particularly capital	**Rule 39: Order of Sessions trials, priority and expedition.** (1) Sessions trials shall ordinarily be taken up in the order in which commitments are received and registered in the Court of Session. (2) The Sessions Judge may, for reasons to be recorded, give priority to any case having regard to— (a) cases involving sentence of death or imprisonment for life; (b) cases in which the accused is in custody; (c) cases involving women, children, senior citizens, persons with disabilities, vulnerable witnesses or victims of sexual offences; (d) cases under special statutes requiring priority or time-bound trial; (e) old sessions trials;	Existing Rule 39, Chapter VII, Criminal Court Rules of the High Court of Judicature at Patna. Sections 248 to 260, Bharatiya Nagarik Suraksha Sanhita, 2023 — trial before Court of Session. Section 346, Bharatiya Nagarik Suraksha Sanhita, 2023 — day-to-day trial and adjournment discipline. Section 530, Bharatiya Nagarik Suraksha Sanhita, 2023 — electronic mode. Patna High

sentence cases, subsequently received judging the seriousness of the offence and the convenience of the accused. It should always be the endeavour of every Sessions Judge to see that a Sessions trial is brought to a close with due expedition and without unnecessary adjournment.	(f) cases involving official, medical, forensic, vulnerable or outstation witnesses; (g) cases where trial has been delayed after commitment; and (h) such other circumstances as may, in the interest of justice, require priority. (3) Every Sessions Judge shall endeavour to ensure that a sessions trial, once commenced, is brought to a close with due expedition and without unnecessary adjournment. (4) When examination of witnesses has commenced, the trial shall proceed from day to day until all witnesses in attendance have been examined, unless adjournment beyond the following day becomes necessary for reasons to be recorded in writing. (5) The Sessions Judge may prepare, in consultation with the Public Prosecutor and defence counsel, a schedule of constructive working days for recording evidence, especially in custody cases, sexual offence cases, capital sentence cases, vulnerable witness cases and old cases. (6) Where any witness is present, his or her examination shall not be postponed except for special reasons recorded in writing. (7) The Court may, where permissible, use audio-video electronic means for appearance or examination of witnesses, accused, experts or officials, subject to law and directions of the High Court.	Court Circular Order No. 06 of 2025 / *CBI v. Mir Usman @ Ara @ Mir Usman Ali*, 2025 INSC 1155 — day-to-day evidence, early examination of witnesses and avoidance of unnecessary adjournments. Patna High Court Guidelines for Recording Evidence of Vulnerable Witnesses, 2025. Protection of Children from Sexual Offences Act, 2012; Juvenile Justice (Care and Protection of Children) Act, 2015; Rights of Persons with Disabilities Act, 2016. Patna High Court Draft Amended Guidelines for Recording Evidence of Vulnerable Witnesses, 2025/2026 — objective of enabling vulnerable witnesses to give best evidence in a safe environment, minimising harm and secondary victimisation, use of vulnerable witness deposition facilities, support measures, separate waiting arrangements and privacy safeguards. Protection of Children

	(8) The Sessions Judge shall monitor old sessions trials and custody trials at such intervals as may be directed by the High Court or District Judge. (9)In scheduling Sessions trials, the Court shall treat cases involving children, victims of sexual offences, vulnerable witnesses, protected witnesses, cases under the Protection of Children from Sexual Offences Act, 2012, cases under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, cases involving witness protection, and cases where witness safety or identity protection is in issue, as priority categories for fixing evidence and trial dates. (10)The Court shall, as far as practicable, frame the trial schedule so as to avoid repeated attendance of such witnesses, reduce secondary victimisation, ensure use of vulnerable witness deposition facilities or audio-video electronic means where permitted by law, provide staggered timings or separate waiting arrangements where necessary, and preserve the right of the accused to a fair trial.	from Sexual Offences Act, 2012. Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, including Section 15A victim rights. Witness Protection Scheme, 2018. Bharatiya Nagarik Suraksha Sanhita, 2023 — provisions relating to expeditious trial and examination of witnesses.
Rule 40. When it is duty of a Sessions Judge to hold sitting at more than one place and he finds that he is unable to	**Rule 40: Sitting at more than one place and arrangements for custody cases and witnesses.** (1) Where a Sessions Judge is required to hold sittings at more than one place within the Sessions Division and is unable to proceed to any	Existing Rule 40, Chapter VII, Criminal Court Rules of the High Court of Judicature at Patna. Section 8, Bharatiya Nagarik Suraksha Sanhita,

proceed to the other place on the date fixed for trial there, he shall make such arrangements as may be best calculated to relieve the prisoners under trial from unnecessarily prolonged detention in custody and also to minimise the inconvenience of the witnesses.	such place on the date fixed for trial, he shall make suitable arrangements to prevent unnecessary detention of undertrial prisoners and minimise inconvenience to witnesses, victims and parties. (2) Such arrangements may include— (a) transfer or re-allocation of urgent work to an Additional Sessions Judge, where permissible; (b) rescheduling of custody cases on priority; (c) use of audio-video electronic means for remand, production or witness appearance, where legally permissible; (d) advance intimation to jail authorities, police, Public Prosecutor, defence counsel and witnesses; (e) cancellation or postponement of witness summons sufficiently in advance where examination cannot proceed; and (f) any other measure approved by the High Court to prevent avoidable delay. (3) Where an accused is in custody, the Sessions Judge shall ensure that non-sitting at another place does not result in unnecessary remand or delay in consideration of bail, production or trial. (4) The reason for inability to hold the sitting and the arrangements made shall be recorded in the order-sheet or administrative record.	2023 — Court of Session, sitting at places within Sessions Division, distribution of business and urgent applications. Section 530, Bharatiya Nagarik Suraksha Sanhita, 2023 — electronic mode. Patna High Court Circular Order No. 06 of 2025 / *CBI v. Mir Usman @ Ara @ Mir Usman Ali*, 2025 INSC 1155.

Rule 41. In all capital sentence cases where there has been an interval of one month or more between apprehension of the accused and conclusion of trial in the Court of Sessions, a full explanation of such delay should be sent to the High Court along with the proceedings submitted under Section 366 Cr.P.C. The period allowed before a capital sentence case becomes explanatory should not be treated as a justifiable interval.	**Rule 41: Capital sentence cases and explanation of delay.** (1) In every case in which the Court of Session passes a sentence of death and submits the proceedings to the High Court for confirmation, the Sessions Judge shall forward, along with the reference record, a full explanation of delay if there has been an interval of one month or more between apprehension, arrest or production of the accused and conclusion of the trial before the Court of Session. (2) The explanation shall indicate, as far as applicable— (a) date of apprehension, arrest or surrender; (b) date of cognizance and commitment; (c) date of receipt of record by the Court of Session; (d) date of framing of charge; (e) dates fixed for prosecution evidence, defence evidence, arguments and judgment; (f) reasons for adjournments; (g) delay, if any, due to non-production of accused, non-service or non-attendance of witnesses, non-availability of counsel, forensic report, medical evidence, electronic evidence or other cause; (h) whether the accused was in custody throughout; and (i) steps taken by the Court to expedite trial.	Existing Rule 41, Chapter VII, Criminal Court Rules of the High Court of Judicature at Patna. Sections 407 to 412, Bharatiya Nagarik Suraksha Sanhita, 2023 — submission of death sentence to High Court for confirmation and procedure in confirmation cases; Section 412 provides communication of High Court order physically or through electronic means. Section 393, Bharatiya Nagarik Suraksha Sanhita, 2023 — special reasons for sentence of death in judgment. Madras Criminal Rules of Practice, 2019 — Chapter XVII, Death Sentence, communication of orders and warrant of execution. Kerala Criminal Rules of Practice, 1982 — rules on communication of death sentence orders and warrant of execution.

	(3) Capital sentence cases shall be given priority at every stage, including supply of copies, commitment, framing of charge, recording of evidence, arguments, judgment and transmission of reference record to the High Court. (4) The fact that explanation is required only after a specified interval shall not be treated as permitting avoidable delay in capital sentence cases. (5) Where delay is attributable to avoidable administrative lapse, non-production of accused, non-service of witnesses, or non-submission of reports, the Sessions Judge may call for explanation from the concerned authority and report the matter to the High Court where necessary.	
Rule 42. The Judge shall maintain a Register of sessions cases in Form No. (R) 23.	**Rule 42: Register of Sessions cases.** (1) Every Court of Session shall maintain a Register of Sessions Cases in the prescribed form, either physically or electronically through CIS or such other system as may be approved by the High Court. (2) The register shall contain, as far as practicable— (a) Sessions case number and year; (b) CNR number; (c) name of committing Court and committal case number; (d) police station case number, complaint number or agency case number;	Existing Rule 42, Chapter VII, Criminal Court Rules of the High Court of Judicature at Patna. Madras Criminal Rules of Practice, 2019 — Administrative Form No. 1, Register of Sessions Cases received and disposed of. Jharkhand Criminal Court Rules — Chapter VII, Sessions Business and corresponding register practice. Section 530, Bharatiya Nagarik

	(e) date of commitment; (f) date of receipt of record; (g) names, addresses and index numbers of accused; (h) custody/bail/absconding/proclaimed offender status of each accused; (i) offences alleged and sections of law; (j) date of charge; (k) dates of commencement and conclusion of trial; (l) date of judgment; (m) result of trial; (n) sentence, compensation, fine, victim compensation or other final direction; (o) appeal/reference/revision particulars, if known; (p) date of delivery of record to record room; and (q) remarks. (3) The register shall be checked periodically by the Sessions Judge or such officer as he may authorise. (4) The electronic register shall be updated promptly at each material stage and shall be capable of generating reports on old cases, custody cases, capital cases, absconding accused and vulnerable witness cases.	Suraksha Sanhita, 2023 — electronic mode. Maharashtra Electronic Processes Rules, 2025 — CIS and electronic process framework.

Rule 43. Deleted.	**Rule 43: Numbering and indexing of Sessions cases.** (1) Sessions cases shall be numbered serially in the order in which commitments are received in the Court of Session. (2) A separate series of Sessions case numbers shall be maintained for each calendar year, unless otherwise directed by the High Court. (3) Each accused shall be assigned a separate accused index number, and such index number shall be used consistently in the register, charge, evidence, judgment, warrant and other proceedings. (4) Where a split-up case, supplementary charge-sheet, absconding accused case, trial in absentia, counter-case, connected case, child-in-conflict-with-law split record, or transfer case is received, the register shall show its connection with the main Sessions case. (5) Where multiple FIRs or police reports arise out of the same transaction and are placed before the Sessions Court, the Sessions Judge may, subject to law, direct appropriate tagging, joint listing or allocation before the same Court to avoid conflicting proceedings.	Existing Rules 42 and 44, Chapter VII, Patna Criminal Court Rules. Madras Criminal Rules of Practice, 2019 — Rule 98, numbering of cases committed to Court of Session; Administrative Form No. 1, Register of Sessions Cases. Jharkhand Judicial Academy Handbook on Criminal Trial — case and counter-case / connected case principles and avoidance of multiplicity. Trial in absentia provisions under Sections 355 and 356, Bharatiya Nagarik Suraksha Sanhita, 2023.
Rule 44. Cases shall be entered in the Register of sessions cases in Form No. (R) 23 serially in the order of receipt of commitments in	**Rule 44: Entry of cases and accused particulars in Sessions Register.** (1) Cases shall be entered in the Sessions Register serially in the order of receipt of commitment or transfer, subject to directions regarding priority listing or tagging of connected cases.	Existing Rule 44, Chapter VII, Criminal Court Rules of the High Court of Judicature at Patna. Section 530, Bharatiya Nagarik Suraksha Sanhita, 2023. Sections 355 and 356,

the Sessions Court. The series of numbers shall be separate for each year. A separate index number shall be given to each accused.	(2) The series of numbers shall be separate for each year. (3) A separate index number shall be assigned to each accused. (4) The register shall clearly show whether each accused is— (a) in custody; (b) on bail; (c) exempted from personal appearance; (d) absconding; (e) proclaimed offender; (f) being tried separately; or (g) subject to trial in absentia. (5) Where attendance of an accused is through audio-video electronic means, the register or order-sheet shall indicate the date, mode and place from which the accused appeared. (6) Any change in custody, bail, proclamation, death, transfer, discharge, acquittal, conviction, separation of trial or production status shall be entered without delay.	Bharatiya Nagarik Suraksha Sanhita, 2023 — inquiry/trial in absence of accused and trial in absentia of proclaimed offender. Madras Criminal Rules of Practice, 2019 — Register of Sessions Cases.
Rule 45. Column 4 of Register (R) 23 is meant to contain an abstract of the charge. Offences are to be stated as concisely as possible with the section of the Indian Penal Code or other law applicable. When a prisoner is charged with	**Rule 45: Abstract of charge and result of trial.** (1) The Sessions Register shall contain a concise abstract of the charge framed against each accused. (2) Offences shall be stated with reference to the applicable provisions of the Bharatiya Nyaya Sanhita, 2023 or any special law, and, where the case relates to an offence committed before commencement of the Bharatiya Nyaya Sanhita, 2023, the corresponding provision of the Indian Penal Code, 1860 or other earlier law shall also be indicated wherever necessary.	Existing Rule 45, Chapter VII, Criminal Court Rules of the High Court of Judicature at Patna. Bharatiya Nyaya Sanhita, 2023. Second Schedule, Bharatiya Nagarik Suraksha Sanhita, 2023 — charge forms under BNS provisions. Sections 248 to 260 and Sections 289 to 303, Bharatiya Nagarik Suraksha Sanhita, 2023 —

several offences, the heads of charge on which he has been convicted must be indicated by red underlining.	(3) Where charges are altered or added, the register shall be updated with the date of such alteration or addition. (4) Where the accused is charged with several offences, the offence or offences for which he is convicted, acquitted, discharged or otherwise dealt with shall be clearly indicated. (5) In electronic registers, colour-coding or electronic marking may be used instead of red underlining, provided that the result remains clearly identifiable. (6) The register shall also indicate whether conviction is on plea of guilty, after full trial, under plea bargaining provisions, in absentia, or otherwise in accordance with law.	Sessions trial and plea bargaining. Madras Criminal Rules of Practice, 2019 — judgment to contain particulars and list of witnesses/exhibits/material objects.
Rule 46. In the column of remarks of Register (R) 23, Sessions Judges should state the ground of postponement when any trial is postponed, the period of solitary confinement awarded to any prisoner, whether the sentence is in addition to another sentence or to take	**Rule 46: Remarks column, postponements and sentencing particulars.** (1) The remarks column of the Sessions Register shall record all matters necessary for administrative supervision, appellate/revisional scrutiny, and monitoring of old or sensitive cases. (2) Whenever a trial is postponed or adjourned after commencement of evidence, the remarks column or electronic case history shall state the date, reason for postponement, party seeking adjournment, whether witnesses were present, and the next date fixed. (3) The remarks column shall also record—	Existing Rule 46, Chapter VII, Criminal Court Rules of the High Court of Judicature at Patna. Section 346, Bharatiya Nagarik Suraksha Sanhita, 2023. Section 393, Bharatiya Nagarik Suraksha Sanhita, 2023 — judgment to state reasons for sentence and special reasons for death sentence. Patna High Court Circular Order No. 06 of 2024 — recording presence,

effect after another sentence, grounds on which a person punishable with death has been sentenced to punishment other than death, reasons for specially light or specially severe sentence, and generally any matter necessary for the High Court to exercise revisional powers.	(a) whether the accused is in custody and the period of custody during trial; (b) whether the sentence is to run concurrently or consecutively with any other sentence; (c) whether fine, compensation, victim compensation or default sentence has been ordered; (d) special reasons for sentence of death; (e) reasons for awarding imprisonment for life or lesser punishment where death is one of the prescribed punishments, where such reasons are required by law; (f) reasons for specially light or specially severe sentence, where recorded in the judgment; (g) direction regarding set-off, custody certificate or previous detention, where applicable; (h) order regarding disposal of property, electronic records or material objects; (i) victim compensation or legal aid direction; and (j) any matter required to be brought to the notice of the High Court. (4) In every order of adjournment, the Court shall record the presence of parties/counsel, the purpose of adjournment, who sought adjournment, and reasons for granting or refusing adjournment.	purpose of adjournment and party seeking adjournment. Patna High Court Circular Order No. 06 of 2025 / *CBI v. Mir Usman @ Ara @ Mir Usman Ali*, 2025 INSC 1155.

	(5) Reasons entered in the remarks column shall be consistent with the order-sheet and judgment.	
Rule 47. Whenever an enhanced sentence is passed upon an accused on conviction on a charge within the terms of Section 75 of the Indian Penal Code, the Sessions Judge should enter in the column for remarks the date of each previous conviction, the offence charged, and the sentence passed on each occasion.	**Rule 47: Previous conviction and enhanced punishment.** (1) Where enhanced punishment is awarded on the basis of previous conviction under the Bharatiya Nyaya Sanhita, 2023 or any special law, the Sessions Judge shall record in the remarks column— (a) date of each previous conviction; (b) Court by which conviction was recorded; (c) offence and section of law; (d) sentence passed; (e) whether appeal/revision, if any, is pending or decided; and (f) manner in which the previous conviction was proved or admitted. (2) The judgment shall also indicate whether the previous conviction was put to the accused and proved or admitted in accordance with law. (3) Where an order is passed requiring notification of residence or change of residence after release, the particulars shall be entered in the register and communicated to the competent authority.	Existing Rule 47, Chapter VII, Criminal Court Rules of the High Court of Judicature at Patna. Section 75, Indian Penal Code, 1860 / corresponding provisions under Bharatiya Nyaya Sanhita, 2023 and special laws relating to enhanced punishment on previous conviction. Section 394, Bharatiya Nagarik Suraksha Sanhita, 2023 — order for notifying address of previously convicted offender. Madras Criminal Rules of Practice, 2019 — previous convictions to be noted in Sessions calendars and judgments.
Rule 48. When in any case committed to the Court of Sessions, there is an interval of more than one month	**Rule 48: Delay before commitment and monitoring by Sessions Judge.** (1) Where, in any case committed to the Court of Session, there is delay beyond the period prescribed by Section 232 of the Bharatiya Nagarik	Existing Rule 48, Chapter VII, Criminal Court Rules of the High Court of Judicature at Patna. Section 232, Bharatiya Nagarik Suraksha

between the date of appearance of the accused or his production before the Magistrate and the commitment of the case, the committing Magistrate shall, at the time of notifying commitment, submit an explanation as to delay to the Chief Judicial Magistrate, who shall forward the same to the Sessions Judge with remarks and note action, if any, taken in case of unreasonable delay. The Sessions Judge shall forward to the High Court, along with Sessions statement, the explanation with comments thereon. The note says appearance/production	Suraksha Sanhita, 2023, or there is an interval of more than one month between appearance or production of the accused before the Magistrate after filing of the police report/complaint and commitment of the case, the committing Magistrate shall submit an explanation for the delay. (2) The explanation shall be submitted to the Chief Judicial Magistrate at the time of notifying the commitment and shall specify— (a) date of cognizance; (b) date of appearance or production of accused after filing of police report/complaint; (c) date of supply of copies; (d) reasons for delay in supply of copies, service, production, appearance, legal aid, translation, electronic record supply, or any other cause; (e) date of commitment; and (f) action taken to avoid recurrence of delay. (3) The Chief Judicial Magistrate shall forward the explanation to the Sessions Judge with his remarks and shall state the administrative action, if any, taken in case of unreasonable delay. (4) The Sessions Judge shall forward such explanation, with his comments, to the High Court along with the Sessions statement or such periodic statement as may be prescribed.	Sanhita, 2023 — commitment to Court of Session within ninety days from cognizance, extendable up to one hundred and eighty days for reasons recorded. Sections 230 and 231, Bharatiya Nagarik Suraksha Sanhita, 2023 — supply of copies in police report and complaint cases. Jharkhand Judicial Academy Handbook on Criminal Trial — commitment checklist, supply of police papers and commitment practice.

before submission of final form under Section 173 Cr.P.C. shall not be taken into account for this rule.	(5) In computing delay for the purpose of this Rule, appearance or production before submission of the police report or complaint shall not ordinarily be counted, unless the delay relates to statutory custody, supply of documents, or other matter required to be reported by law. (6) The Sessions Judge shall monitor cases in which commitment is delayed beyond ninety days from cognizance and shall call for periodical reports from the Chief Judicial Magistrate.	
Rule 49. Sessions Judges, in all cases in which they convict of culpable homicide not amounting to murder, shall invariably mention in their remarks on the trial the circumstances under which culpable homicide was held not to amount to murder. They shall also record their opinion whether the act by which death was caused was done with intention of causing death, or causing	**Rule 49: Findings in culpable homicide not amounting to murder and allied homicide cases.** (1) In every case where the Court of Session convicts the accused of culpable homicide not amounting to murder, the judgment shall clearly state the circumstances under which the offence is held not to amount to murder. (2) The Court shall record whether the act by which death was caused was done— (a) with the intention of causing death; (b) with the intention of causing such bodily injury as was likely to cause death; or (c) with the knowledge that it was likely to cause death but without intention to cause death or such bodily injury as was likely to cause death. (3) Where the case is governed by the Bharatiya Nyaya Sanhita, 2023, the judgment shall refer to the applicable provisions of the Bharatiya	Existing Rule 49, Chapter VII, Criminal Court Rules of the High Court of Judicature at Patna. Section 105, Bharatiya Nyaya Sanhita, 2023 — culpable homicide not amounting to murder; Second Schedule charge form under BNSS refers to Section 105 BNS. Section 393, Bharatiya Nagarik Suraksha Sanhita, 2023 — language and contents of judgment; reasons for sentence. Madras Criminal Rules of Practice, 2019 — judgment to contain necessary particulars.

such bodily injury as was likely to cause death, or with knowledge that it was likely to cause death but without intention to cause death or such bodily injury as was likely to cause death.	Nyaya Sanhita, 2023, including the provision relating to culpable homicide not amounting to murder, and shall state the clause or part under which conviction is recorded. (4) Where the case relates to an offence committed before commencement of the Bharatiya Nyaya Sanhita, 2023, the judgment may refer to the relevant provision of the Indian Penal Code, 1860, and, where necessary, the corresponding provision of the Bharatiya Nyaya Sanhita, 2023. (5) Where conviction is altered from murder to culpable homicide not amounting to murder, the judgment shall briefly indicate the reason for such alteration, including the exception, absence of intention, nature of injury, knowledge, provocation, sudden fight, private defence, or other relevant circumstance, as applicable.	
New Rule.	**Rule 49-A: Sessions statements and administrative reporting.** (1) Every Sessions Judge shall submit such Sessions statement, periodical return or administrative report as may be prescribed by the High Court. (2) Such statement shall include, as far as may be prescribed— (a) sessions cases received; (b) sessions cases disposed of; (c) custody cases pending;	Existing Rules 42, 46 and 48, Chapter VII, Patna Criminal Court Rules. Madras Criminal Rules of Practice, 2019 — Chapter XX, Sessions Statement. Kerala Criminal Rules of Practice, 1982 — Sessions records/statements and judgment distribution practice. Section 530,

	(d) old sessions trials; (e) capital sentence cases; (f) cases involving sexual offences, children or vulnerable witnesses; (g) cases delayed after commitment; (h) cases in which trial has commenced but evidence is not proceeding day to day; (i) cases involving absconding/proclaimed offender or trial in absentia; and (j) reasons for material delay. (3) The Sessions Judge shall use such statements for administrative monitoring and for issuing directions to subordinate Courts, prosecution, police, jail authorities or other agencies for removal of delay. (4) Where statements are maintained electronically, the Sessions Judge may generate the same through CIS or any other approved system.	Bharatiya Nagarik Suraksha Sanhita, 2023.
New Rule.	**Rule 49-B: Electronic records, exhibits and material objects in Sessions trials.** (1) In every Sessions trial, the Court shall maintain proper lists of witnesses, documents, exhibits, material objects and electronic records. (2) Where electronic or digital records are produced, the Court shall note their form, storage medium, file name, hash value where available,	Bharatiya Sakshya Adhiniyam, 2023 — electronic/digital records as documentary evidence. Maharashtra eSakshya Management Rules, 2025 — time-stamp, hash value, geo-location and secure electronic record principles.

	certificate under the Bharatiya Sakshya Adhiniyam, 2023, and chain of custody particulars, as far as practicable. (3) Material objects shall be labelled, numbered and preserved in accordance with law and High Court directions. (4) Electronic evidence, storage devices, cloned copies, forensic images, CCTV footage, mobile data, memory cards, audio-video files and other digital material shall be preserved securely and access thereto shall be regulated by the Court. (5) In cases involving sexual offences, children, vulnerable witnesses or protected witnesses, access to electronic records shall be regulated so that identity, privacy and dignity are protected, subject to the right of the accused to fair trial. (6) The list of exhibits and material objects shall be appended to the judgment or maintained in such form as may be prescribed by the High Court. (7) Where any audio-video statement, deposition, testimony, electronic record or digital exhibit relates to a child, victim of sexual offence, vulnerable witness, protected witness or person with disability, the Court shall keep such record in sealed or otherwise secured custody, with restricted access and inspection only under specific orders of the Court.	Madras Criminal Rules of Practice, 2019 — list of material objects and exhibit/index forms in Sessions cases. *P. Gopalkrishnan v. State of Kerala* and supply/inspection principles for electronic records. Patna High Court Draft Amended Guidelines for Recording Evidence of Vulnerable Witnesses, 2025/2026 — confidentiality of vulnerable-witness audio-video recordings, prohibition on copying/sharing without Court order, redaction of identifying particulars, restricted inspection, sealed custody and retention/destruction as per High Court rules. Bharatiya Sakshya Adhiniyam, 2023 — electronic and digital records. Bharatiya Nagarik Suraksha Sanhita, 2023 — audio-video electronic means and electronic records. Witness Protection Scheme,

	(8) No copy, transcript, extract, duplicate, storage device, cloud file or electronic reproduction of such audio-video or digital record shall be supplied, copied, shared, loaned, sold, published, uploaded, transmitted or shown to any person except under Court order and subject to safeguards for identity protection, privacy, safety and fair-trial rights. (9) Where supply or inspection is legally required, the Court may direct redaction, masking, voice or image protection, restricted viewing, supervised inspection or other protective measures so that address, school, workplace, shelter home, safe location, contact details, digital identifiers or other identifying particulars are not disclosed except where legally necessary. (10) Such audio-video and electronic records shall be retained, transferred, archived, sealed or destroyed only in accordance with High Court rules, record-retention directions or specific orders of the competent Court, and no deletion, overwriting or alteration shall be permitted except as authorised by law.	2018. Maharashtra eSakshya Management Rules, 2025 — secure storage, hash value, time-stamp, geo-location, immutable storage and controlled access.
New Rule.	**Rule 49-C: Trial in absence of accused and trial in absentia in Sessions cases.** (1) Where the Court of Session proceeds in the absence of an accused whose personal attendance has been dispensed with, or who persistently disturbs proceedings, the order shall record reasons and	Sections 355 and 356, Bharatiya Nagarik Suraksha Sanhita, 2023 — inquiry/trial in absence of accused and inquiry/trial/judgment in absentia of proclaimed offender. Section 530,

	shall ensure that the accused is represented by an advocate, unless the law permits otherwise. (2) Personal attendance of the accused may include attendance through audio-video electronic means where permitted by law. (3) Where trial in absentia of a proclaimed offender is proposed, the Court shall strictly comply with the statutory preconditions, including issuance and execution of two consecutive warrants, publication of notice, intimation to relative or friend where available, affixture at residence/homestead, display at police station, waiting period after charge, and appointment of advocate at State expense where the proclaimed offender is not represented. (4) The order commencing trial in absentia shall record compliance with each statutory condition and reasons why there is no immediate prospect of arresting the proclaimed offender. (5) Depositions and examination of witnesses in such trial shall, as far as practicable, be recorded by audio-video electronic means and preserved as directed by the Court. (6) If the proclaimed offender is arrested or appears during such trial, the Court shall proceed in accordance with law and may, in the interest of justice, permit examination of evidence recorded in his absence.	Bharatiya Nagarik Suraksha Sanhita, 2023. Section 24, Bharatiya Sakshya Adhiniyam, 2023 — deemed joint trial explanation in trial in absentia context, Legal Services Authorities Act, 1987; Article 39-A, Constitution of India. Patna High Court Draft Amended Guidelines for Recording Evidence of Vulnerable Witnesses, 2025/2026 — balancing the fair-trial rights of the accused with protection, privacy, safety and maximum accommodation of vulnerable witnesses; vulnerable witness deposition facilities; confidentiality of identifying information; restriction on copying/sharing audio-video recordings; and protective measures where threat perception exists. Witness Protection Scheme, 2018 — protection of identity, safety and relocation/safe-

	(7) A separate entry regarding trial in absentia shall be made in the Sessions Register and Sessions statement. Where evidence is recorded, preserved, used or relied upon in proceedings for trial in absence or trial in absentia, and the witness is a child, victim of sexual offence, vulnerable witness, protected witness, person with disability or person under threat perception, the Court shall ensure that the procedure adopted protects the identity, address, location, privacy, dignity and safety of such witness, while preserving the right of the accused to a fair trial. Where examination is conducted through electronic communication or audio-video electronic means, the Court may direct use of vulnerable witness deposition facilities, screens, voice or image distortion, restricted viewing, separate waiting arrangements, non-disclosure of safe location, sealed record, redacted copies, or such other protective measures as may be necessary and lawful. No audio-video recording, transcript, address, contact detail, safe-location detail or identifying material relating to such witness shall be supplied, copied, uploaded, published, transmitted or shown except under specific order of the Court and subject to safeguards for fair trial, identity protection and witness safety.	location safeguards where applicable. Bharatiya Nagarik Suraksha Sanhita, 2023 — provisions relating to electronic communication, audio-video electronic means and trial in absence / trial in absentia. Bharatiya Sakshya Adhiniyam, 2023 — electronic and digital records. Protection of Children from Sexual Offences Act, 2012; Rights of Persons with Disabilities Act, 2016, Section 12.

	The Court shall record, in brief, the protective measure adopted and shall ensure that the accused or defence is afforded such opportunity of cross-examination or legal challenge as is permissible under law, without requiring disclosure of protected identity or location unless legally necessary.	
CHAPTER VIII **GENERAL PROVISIONS AS TO ENQUIRIES AND TRIALS** **RULES 50 TO 53-D** 1. ***Rule 53-A is needed because the Punjab & Haryana rules give a much better format for recording evidence: paragraph numbering, PW/DW/CW numbering, read-over, objections, and exhibit marking.*** 2. ***Rule 53-B is necessary because the Patna Vulnerable Witness Guidelines are now directly relevant to every trial stage, not just process or Sessions business.*** 3. ***Rule 53-C is necessary because witness protection and confidentiality now have statutory support under Section 398 BNSS and the Witness Protection Scheme, 2018.*** 4. ***Rule 53-D is necessary because victim compensation cannot be postponed only to the judgment chapter; the Court must at least preserve the record and ensure the victim is informed during trial, especially in sexual offence and vulnerable witness cases.***		
Rule 50. List of witnesses in attendance. In complaint cases, except cases relating to offences under Section 195 Cr.P.C., the complainant/accused or	**Rule 50: List and attendance of witnesses for examination.** (1) In every inquiry or trial, the party producing witnesses shall, before commencement of evidence on that day, make over to the Bench Clerk or authorised court staff a duly verified, dated and signed list of witnesses who are present for examination.	Existing Rule 50, Chapter VIII, Criminal Court Rules of the High Court of Judicature at Patna. Section 346, Bharatiya Nagarik Suraksha Sanhita, 2023 — day-to-day trial and no adjournment where witnesses are

lawyer, and in police cases or Section 195 cases, the Public Prosecutor/Assistant Public Prosecutor/accused/lawyer shall give the Bench Clerk, not later than 11 A.M. during day sitting and 7 A.M. during morning sitting, a verified, dated and signed list of witnesses in attendance for examination. Omission of witness name shall not bar examination if presented, but no costs shall be allowed if the witness is neither entered in the list nor actually examined.	(2) In complaint cases, such list shall be furnished by the complainant, accused or their advocate, as the case may be. In police cases and cases instituted on complaint by a public servant or Court, such list shall be furnished by the Public Prosecutor, Assistant Public Prosecutor, accused or advocate, as the case may be. (3) The list shall ordinarily be furnished not later than 11:00 A.M. during day sitting and 7:00 A.M. during morning sitting, or within such time as the Court may direct. (4) The list shall mention the name, witness number, parentage or identifying description, address, mobile number/e-mail where available, category of witness, whether official/private/expert/vulnerable/protected witness, and whether any special arrangement is required. (5) The omission of the name of a witness from such list shall not bar examination if the witness is present and the Court considers examination necessary; however, witness expenses for that day shall not ordinarily be allowed if the witness was neither entered in the list nor actually examined, unless the Court directs otherwise for reasons recorded.	present except for recorded reasons. Patna High Court Circular Order No. 06 of 2025 / *CBI v. Mir Usman @ Ara @ Mir Usman Ali*, 2025 INSC 1155 — witness scheduling and expeditious recording of evidence. Patna High Court Guidelines for Recording Evidence of Vulnerable Witnesses — special assistance, safety concerns, support person, interpreter, translator, special educator and free special assistance measures. Punjab & Haryana High Court Rules, Vol. III, Part E — witness numbering and deposition format.

	(6) The Bench Clerk shall maintain, physically or electronically, a register of attendance of witnesses, including names of witnesses mentioned in the list and witnesses actually examined. (7) Where the witness is a child, victim of sexual offence, vulnerable witness, protected witness, person with disability, or witness under threat, the attendance register and cause-list shall be maintained in a manner which does not disclose protected identity, address, school, workplace, shelter home, safe location or contact particulars. (8) Where any witness is present, the Court shall make every endeavour to examine such witness on the same day, and shall not adjourn the matter without examining the witness except for special reasons recorded in writing.	
Rule 50-B. Charge. The order framing charge shall be accompanied by a formal charge in Form 32, Schedule I, Cr.P.C., to be prepared personally by the Presiding Officer after complete and total application of mind.	**Rule 50-B: Charge and formal charge-sheet by Court.** (1) Every order framing charge shall be accompanied by a formal charge in the form prescribed under the Bharatiya Nagarik Suraksha Sanhita, 2023, or under the special law applicable to the case. (2) The formal charge shall be prepared personally by the Presiding Officer or under his direct dictation and supervision, after complete application of mind to the record and the submissions of parties. (3) The charge shall state clearly— (a) name/index number of accused; (b) offence alleged; (c) section of the Bharatiya Nyaya Sanhita, 2023,	Existing Rule 50-B, Chapter VIII, Patna Criminal Court Rules. Bharatiya Nagarik Suraksha Sanhita, 2023 — provisions relating to contents, form, alteration and explanation of charge; Second Schedule forms. Bharatiya Nyaya Sanhita, 2023. Patna Vulnerable Witness Guidelines — use of interpreter, translator, special educator

	or special law; (d) corresponding provision of the Indian Penal Code, 1860, wherever the offence was committed before commencement of BNS; (e) time, place, person and manner of offence, where necessary; (f) particulars necessary to give the accused clear notice of the accusation; and (g) whether alternative or additional charges are framed. (4) Where charges are framed under special statutes, including NDPS Act, SC/ST Act, POCSO Act or other special laws, the charge shall indicate the special statutory ingredients and any special procedural consequence, wherever necessary. (5) The charge shall be read and explained to the accused in a language understood by him. Where the accused requires interpreter, translator, sign-language interpreter, special educator or other assistance, such assistance shall be provided. (6) Where the charge is altered or added, the amended charge shall be prepared formally, read and explained to the accused, and the order-sheet shall show compliance with law. (7) In cases involving multiple accused, the charge shall identify each accused by his rank in the array of accused after initial identification, and the specific role alleged against each accused shall be indicated as far as necessary.	and accessible communication where required. NDPS Act, 1985 — special offences, presumptions and stringent procedural consequences in NDPS trials. SC/ST Act, 1989 — Special Courts, victim/witness rights and special statutory provisions.

Rule 50-C. Subsequent references to accused, witness, exhibits and material objects. After framing charges, accused shall be referred to only by rank in the array of accused and not by names except at identification. After recording depositions, marking exhibits and material objects, subsequent witnesses, exhibits and material objects shall be referred by numbers and not names. Unexamined witnesses shall be referred by name and number allotted in complaint/police report.	**Rule 50-C: Subsequent references to accused, witnesses, exhibits, material objects and electronic records.** (1) After framing of charge, the accused shall ordinarily be referred to by his rank in the array of accused, and not by name or other description, except where necessary for identification by a witness or for clarity in the order. (2) After a witness has been examined and numbered, subsequent reference to such witness shall ordinarily be by witness number, such as PW, DW or CW number, as the case may be. (3) After documents, exhibits and material objects have been marked, subsequent reference shall ordinarily be by exhibit number or material object number and not by lengthy description. (4) Electronic records and digital exhibits shall also be assigned exhibit numbers and, where necessary, shall be additionally identified by file name, device description, hash value, storage medium, transcript number, timestamp or other particulars necessary for exact identification. (5) Where any witness cited in the complaint, police report or list of witnesses is not examined, such witness may be referred to by name and by the number allotted in the complaint, police report or witness list.	Existing Rule 50-C, Chapter VIII, Patna Criminal Court Rules. Punjab & Haryana High Court Rules, Vol. III, Part E — numbering of PW/DW/CW, exhibits and material objects, and subsequent references by numbers. Patna Vulnerable Witness Guidelines — confidentiality, redaction and sealed identity information. Bharatiya Sakshya Adhiniyam, 2023 — electronic/digital records. Witness Protection Scheme, 2018 — identity protection and witness safety measures.

	(6) In cases involving vulnerable witnesses, protected witnesses, children, victims of sexual offences, SC/ST Act victims or witnesses under threat, the Court may use initials, pseudonyms, witness codes or sealed identity references in orders, depositions, cause lists and registers, subject to law and fair-trial requirements. (7) The record shall be maintained in such a manner that the appellate or revisional Court can identify the accused, witnesses, exhibits, material objects and electronic records without difficulty.	
Rule 51. Day-to-day trial. The trial, once commenced, should except for good and sufficient cause noted in the order-sheet, proceed throughout the day and from day to day until all witnesses in attendance have been examined.	**Rule 51: Continuity of trial after commencement of evidence.** (1) Once trial has commenced, it shall proceed throughout the day on which it has opened and from day to day, as far as practicable, until all witnesses in attendance have been examined. (2) Adjournment or postponement after commencement of evidence shall not be granted except for good and sufficient cause to be recorded in the order-sheet. (3) Where witnesses are present, no adjournment shall ordinarily be granted without examining them, except for special reasons recorded in writing. (4) The convenience of counsel alone shall not ordinarily constitute sufficient reason for adjournment where witnesses are present, unless exceptional circumstances exist and are recorded.	Existing Rule 51, Chapter VIII, Patna Criminal Court Rules. Section 346, Bharatiya Nagarik Suraksha Sanhita, 2023. *State of U.P. v. Shambhu Nath Singh*, 2001 — Supreme Court emphasised day-to-day witness examination and recorded reasons for adjournment beyond the following day. Patna High Court Circular Order No. 06 of 2025 / *CBI v. Mir Usman @ Ara @ Mir Usman Ali*, 2025 INSC 1155.

	(5) Where adjournment is unavoidable, the Court shall give immediate intimation to both sides, the Public Prosecutor, witness, police agency and jail authority, as may be necessary, and shall take steps to secure attendance on the next date. (6) In custody trials, sexual offence cases, POCSO cases, SC/ST Act cases, vulnerable witness cases, old cases and time-bound trials, continuity of trial shall be treated as a matter of priority.	
Rule 51-A. Directions for expeditious trial. The existing rule requires expeditious inquiry/trial, day-to-day witness examination, scheduling hearing after framing charge, consecutive dates for evidence, admission/denial of documents under Section 294 Cr.P.C., no adjournment when witnesses are present except for special reasons, priority to Sessions cases and	**Rule 51-A: Scheduling hearing, admission of documents and expeditious recording of evidence.** (1) In every inquiry or trial, immediately after charge is framed or accusation is explained, the Court shall hold a scheduling hearing for fixing consecutive dates for recording evidence. (2) At the scheduling hearing, the Court shall ascertain— (a) number and category of witnesses; (b) material witnesses, eye-witnesses, formal witnesses, official witnesses, medical/forensic experts and vulnerable witnesses; (c) witnesses requiring summons through police/prosecution/departmental channel; (d) witnesses requiring audio-video electronic means; (e) witnesses requiring interpreter, translator, special educator, support person or protection measure; and	Existing Rule 51-A, Chapter VIII, Patna Criminal Court Rules. Section 346, Bharatiya Nagarik Suraksha Sanhita, 2023. Section 530, Bharatiya Nagarik Suraksha Sanhita, 2023 — electronic mode. *State of U.P. v. Shambhu Nath Singh*; *Vinod Kumar v. State of Punjab* — Supreme Court disapproved avoidable adjournments and stressed day-to-day trial discipline. Patna Vulnerable Witness Guidelines — support person, interpreter, translator, special educator, safety

immediate intimation if adjourned.	(f) documents which parties are willing to admit or deny. (3) Before fixing evidence dates, the Court shall ascertain whether admission or denial of documents can be carried out under the corresponding BNSS provision relating to admission/denial of documents, so that unnecessary examination of formal witnesses may be avoided. (4) The Court shall draw a schedule indicating dates for examination of witnesses or sets of witnesses, and shall communicate the schedule to the Public Prosecutor, defence counsel, police/prosecution agency, jail authority and witnesses, as may be necessary. (5) The schedule may prioritise vulnerable witnesses, child witnesses, victims of sexual offences, witnesses under threat, medical officers, forensic experts, official witnesses about to be transferred/retired or to leave India, and witnesses who have travelled from outside the district. (6) Where non-cooperation of a party or counsel obstructs scheduled evidence, the Court may take lawful measures, including costs, appointment of legal aid counsel/amicus curiae, proceeding in accordance with law, cancellation of bail where legally permissible, or reporting repeated obstruction. (7) Sessions cases and custody cases may be given precedence over other work on days fixed for evidence.	discussion and demonstration of special measures.

	(8) The order-sheet shall record compliance with the schedule, witness attendance, reasons for non-examination, adjournment reasons and next steps.	
Rule 52. Officers proceeding out of India. All Courts should take care that officers who are about to proceed out of India are examined before their departure in pending criminal cases in which they are important witnesses.	**Rule 52: Examination of witnesses likely to become unavailable.** (1) Every Court shall take care that official witnesses or other important witnesses who are about to proceed out of India, retire, be transferred, be deployed on long duty, become medically unavailable, or otherwise become difficult to secure, are examined before such departure or unavailability. (2) The Public Prosecutor, police officer, department concerned, or party relying on such witness shall inform the Court promptly of such likely unavailability. (3) The Court may advance the date of examination, issue urgent process, require departmental production, or permit examination through audio-video electronic means where legally permissible. (4) In the case of medical, forensic, scientific, cyber, banking, telecom, official or expert witnesses, the Court may consider whether the witness can be examined through electronic communication or whether the report can be proved through another competent witness, subject to law.	Existing Rule 52, Chapter VIII, Patna Criminal Court Rules. Section 530, Bharatiya Nagarik Suraksha Sanhita, 2023 — electronic mode. Section 346, Bharatiya Nagarik Suraksha Sanhita, 2023 — avoiding adjournment and ensuring witness examination. Patna High Court Circular Order No. 06 of 2025 / *CBI v. Mir Usman @ Ara @ Mir Usman Ali*, 2025 INSC 1155.

	(5) Where such witness is not examined before departure despite knowledge, the reason shall be recorded and appropriate direction issued to the agency or party responsible.	
CHAPTER IX **MODE OF RECORDING EVIDENCE** **RULES 54 TO 61-F** ***This includes :- physical, typed and computerised deposition; language and translation; read-over and free copy; interpreters, translators and special educators; authentication and digital signatures; witness/accused particulars with privacy limits; paragraph numbering and PW/DW/CW numbering; exact words, dialects and electronic communications; witness attendance communications; identification where accused have similar names; dying witness statements; audio-video evidence; vulnerable witness evidence; confidentiality and restricted access; witness protection; electronic/digital exhibits; competence and communication assessment of child/vulnerable witnesses.***		
Rule 54. Deposition should be written on one side of the paper only, with a margin of one-fourth of the sheet left blank. Only one deposition should be written on each sheet of paper. **Note —** On account of scarcity of paper this rule should remain in	**Rule 54: Form, format and preservation of deposition.** (1) Every deposition shall be recorded separately for each witness and shall not be mixed with the deposition of any other witness. (2) The deposition shall be clear, legible, paginated, properly formatted and suitable for certified copying, appellate scrutiny and digital preservation. (3) Where deposition is recorded on paper, sufficient margin shall be left for signatures, corrections, endorsements and certification.	Existing Rule 54, Chapter IX, Criminal Court Rules of the High Court of Judicature at Patna. Sections 310 to 317 and Section 530, Bharatiya Nagarik Suraksha Sanhita, 2023 — mode of recording evidence, language, read-over, interpretation, demeanour and electronic mode. Punjab & Haryana High Court Rules, Vol. III,

abeyance till further orders. Depositions of witnesses may, whenever practicable, be recorded on both sides of the paper.	Recording on both sides of the paper may be permitted where it does not affect legibility or preservation. (4) Where computer or electronic facility is available, deposition shall, as far as practicable, be recorded in typed or computer-generated form. (5) Every deposition shall contain the case number, name of Court, witness number, date of recording and stage of examination. (6) Where evidence is recorded electronically or through audio-video electronic means, the deposition shall mention the mode of recording and shall be preserved in such manner as may be directed by the High Court. (7) In cases involving children, victims of sexual offences, vulnerable witnesses, protected witnesses or witnesses under threat, deposition shall be recorded and preserved in a manner which protects identity, privacy, dignity and safety, subject to the right of the accused to a fair trial.	Part E — relevant evidence, typed/computerised depositions, read-over and witness numbering. Patna High Court Guidelines for Recording Evidence of Vulnerable Witnesses, 2025/2026.
Rule 54-A. Depositions of witnesses shall be recorded in typed format, if possible. The record of evidence shall be prepared on computers, if available, in Court on the	**Rule 54-A: Computerised, electronic and translated record of evidence.** (1) Depositions shall, as far as practicable, be recorded in typed or computer-generated format. (2) The record of evidence shall be prepared in Court under the dictation, direction and supervision of the Presiding Officer.	Existing Rule 54-A, Chapter IX, Patna Criminal Court Rules. Sections 310, 311, 312, 313, 314, 317 and 530, Bharatiya Nagarik Suraksha Sanhita, 2023. Punjab & Haryana High Court Rules, Vol. III, Part E — computerised

dictation of the Presiding Officer. Where deposition is recorded in a language other than English or the language of the State, the Presiding Officer shall simultaneously translate it himself or through a competent translator into English.	(3) The deposition shall not be prepared or altered independently by any court staff without the supervision and approval of the Presiding Officer. (4) Where the deposition is recorded in a language different from the language of the Court, a true translation shall be prepared as the examination proceeds, either by the Presiding Officer or through a competent translator or interpreter. (5) Where exact words used by the witness are material, the original expression and its translation shall, as far as practicable, both be recorded. (6) Where evidence is recorded through audio-video electronic means, the deposition shall record the mode of appearance, place from which the witness is examined, identity verification, persons present, and any technical interruption. (7) Where the witness is a vulnerable witness, child, person with disability, protected witness or person requiring assistance, the deposition shall also record the use of interpreter, translator, special educator, support person or other special measure, without disclosing protected details.	recording, translation, read-over and supply of copy. Patna Vulnerable Witness Guidelines — interpreter, translator, special educator, support person and audio-video special measures.

	(8) The final deposition shall be authenticated by the Presiding Officer manually, digitally or in such other manner as may be approved by the High Court.	
Rule 55. Depositions shall be recorded in the language of the witness and in English when translated under Rule 54-A, either by the Magistrate or Sessions Judge in his own hand or from his dictation in open Court. The depositions so recorded shall be signed by the Magistrate or Sessions Judge.	**Rule 55: Language, interpretation and authentication of deposition.** (1) Evidence shall be recorded in the language of the Court or in the language of the witness, with a true translation into the language of the Court where required by law. (2) Where the witness gives evidence in a language or dialect not understood by the Court, or where the accused or his advocate does not understand the language in which evidence is given, interpretation shall be provided in accordance with law. (3) The name, designation and role of the interpreter, translator, special educator, sign-language interpreter or communication assistant shall be recorded in the deposition wherever such assistance is used. (4) Every interpreter or translator shall be bound to interpret truthfully and accurately. (5) The deposition shall be recorded by the Presiding Officer himself, from his dictation, or under his direct direction and supervision. (6) The deposition shall be signed or authenticated by the Presiding Officer manually or digitally.	Existing Rule 55, Chapter IX, Patna Criminal Court Rules. Sections 312, 313, 314, 317 and 530, Bharatiya Nagarik Suraksha Sanhita, 2023. Punjab & Haryana High Court Rules, Vol. III, Part E. Patna High Court Guidelines for Recording Evidence of Vulnerable Witnesses, 2025/2026.

	(7) Where evidence is recorded through audio-video electronic means, the deposition shall state the mode of recording, place of witness, identity verification and persons present. (8) In cases involving vulnerable or protected witnesses, the record shall not disclose address, safe location, school, shelter home, workplace, contact number or other protected identifying particulars, unless legally necessary.	
Rule 55-A. Depositions shall without exception be read over by the Presiding Officer in Court. Hard copy of the testimony so recorded, duly signed to be a true copy by the Presiding Officer/court officer, shall be made available free of cost against receipt to the accused or advocate, witness and prosecutor on the date of recording.	**Rule 55-A: Reading over, correction and supply of deposition.** (1) Every deposition shall, without exception, be read over to the witness in Court or, where necessary, interpreted or explained to the witness in a language or mode understood by him or her. (2) The witness shall be given an opportunity to explain, add to or correct the deposition before it is signed or authenticated. (3) Corrections, if any, shall be made before authentication and shall be initialled or electronically authenticated by the Presiding Officer. (4) A copy of the deposition, duly authenticated as a true copy, shall be made available free of cost to the accused or advocate representing the accused, to the prosecutor, and to the witness on the date of recording or as early as practicable. (5) Such copy may be supplied in physical or digitally authenticated electronic form, against receipt or electronic acknowledgment.	Existing Rule 55-A, Chapter IX, Patna Criminal Court Rules. Section 313, Bharatiya Nagarik Suraksha Sanhita, 2023 — read-over and correction of evidence. Sections 314, 317 and 530, Bharatiya Nagarik Suraksha Sanhita, 2023. Punjab & Haryana High Court Rules, Vol. III, Part E — read-over and free copy of testimony. Patna Vulnerable Witness Guidelines — confidentiality, redaction and restricted access to sensitive material.

	(6) In cases involving sexual offences, children, vulnerable witnesses, protected witnesses, persons with disability, witnesses under threat or in-camera proceedings, the copy supplied may be redacted, sealed or restricted by order of the Court to protect identity, privacy and safety. (7) Where evidence is recorded by audio-video electronic means, the transcript or deposition may be supplied; the underlying audio-video record shall not be copied, circulated, shown, transmitted or published except under order of the Court. (8) A note of supply, refusal or restricted supply shall be made in the order-sheet or deposition record.	
Rule 55-B. A translator shall be made available in each Court and Presiding Officers shall be trained in local languages on the request of the Presiding Officer.	**Rule 55-B: Interpreter, translator, special educator and communication assistance.** (1) Every district court establishment shall maintain, as far as practicable, a panel of interpreters, translators, sign-language interpreters, special educators and communication assistants. (2) Such assistance shall be made available where any witness, accused, victim, complainant or other person does not understand the language of the Court or requires communication support by reason of disability, age, trauma, language barrier or other vulnerability.	Existing Rule 55-B, Chapter IX, Patna Criminal Court Rules. Sections 183(6), 314, 317 and 530, Bharatiya Nagarik Suraksha Sanhita, 2023. Patna High Court Guidelines for Recording Evidence of Vulnerable Witnesses, 2025/2026 — interpreter, translator, special educator, support person and communication support. Rights of Persons with Disabilities Act, 2016 —

	(3) The Court may obtain assistance for Hindi, English, Urdu, local dialects, tribal languages, foreign languages, sign language or any other mode of communication as may be necessary. (4) The interpreter, translator, special educator or communication assistant shall give an undertaking or be bound to interpret or assist truthfully and confidentially. (5) The name, role and language or mode of communication used shall be recorded in the deposition. (6) In vulnerable witness cases, such person shall comply with confidentiality and identity-protection directions of the Court. (7) Where physical availability is not possible, the Court may obtain remote interpretation or communication assistance through audio-video electronic means, subject to law. (8) Presiding Officers and court staff may be provided training in local languages, vulnerable witness communication, disability-sensitive procedure and use of audio-video electronic means.	access to justice and reasonable accommodation.
Rule 55-C. Presiding Officers shall not record evidence in more than one case at the same time.	**Rule 55-C: Exclusive judicial attention during recording of evidence.** (1) The Presiding Officer shall not record, supervise, monitor or authenticate evidence in more than one case at the same time. (2) This prohibition shall apply to physical, hybrid, electronic and audio-video electronic proceedings. (3) Evidence may be typed or computer-	Existing Rule 55-C, Chapter IX, Patna Criminal Court Rules. Sections 310, 311, 313, 315, 346 and 530, Bharatiya Nagarik Suraksha Sanhita, 2023. Punjab & Haryana High Court Rules,

	recorded by authorised court staff only under the direct dictation, direction and supervision of the Presiding Officer. (4) During recording of evidence, the Presiding Officer shall remain available to hear the witness, rule on objections, clarify questions, record demeanour where necessary, ensure accuracy of recording and protect fair-trial rights. (5) In cases involving vulnerable witnesses or protected witnesses, the Presiding Officer shall ensure that special measures remain functional and that no intimidating or improper circumstance affects the deposition. (6) Any material interruption, technical failure or pause during recording by audio-video electronic means shall be noted in the deposition or order-sheet.	Vol. III, Part E — Court's duty to record evidence clearly and decide objections.
Rule 56. If a typewriting machine is used by the Presiding Officer himself for recording deposition and memoranda of evidence, a certificate must be given that this has been done. Each page of such record must be attested by the Presiding Officer's signature.	**Rule 56: Authentication and certification of typed, computer-generated or electronic deposition.** (1) Where deposition or memorandum of evidence is typed, computer-generated or electronically prepared, the Presiding Officer shall certify that it was recorded under his dictation, direction or supervision. (2) Each physical page of the deposition shall be signed or initialled by the Presiding Officer. (3) Where the deposition is maintained electronically, it shall be digitally signed or authenticated in such manner as may be approved by the High Court.	Existing Rule 56, Chapter IX, Patna Criminal Court Rules. Sections 310, 311, 313, 316 and 530, Bharatiya Nagarik Suraksha Sanhita, 2023. Information Technology Act, 2000 — electronic records and digital/electronic authentication.

	(4) Corrections, interlineations, erasures or additions made before authentication shall be initialled or electronically authenticated by the Presiding Officer. (5) Any correction after authentication shall be made only by formal endorsement or order of the Court. (6) Where evidence is recorded through audio-video electronic means, the deposition shall mention the identification particulars of the audio-video record, including date, time, mode, platform or file reference, where available. (7) Once authenticated, no deposition shall be altered except in accordance with law. (8) In vulnerable or protected witness cases, authentication shall be done in a manner that does not disclose protected identity or location in the public record.	
Rule 57. Every Sessions Judge and Magistrate shall record in each deposition or statement the name of the person examined, father's name, husband's name if married woman, nationality,	**Rule 57: Particulars and identity protection of witnesses and accused persons.** (1) In every deposition or statement, the Court shall record sufficient particulars to identify the person examined. (2) Such particulars may include name, parentage, spouse's name, guardian's name, age or approximate age, occupation, village/town, police station and district, as may be necessary.	Existing Rule 57, Chapter IX, Patna Criminal Court Rules. Patna High Court Circular Order No. 05 of 2024 — caste/religion not to be mentioned unless legally necessary. Patna High Court Guidelines for Recording Evidence of Vulnerable Witnesses,

religion, profession, age, village, thana and district of residence, and whether the witness or accused belongs to Scheduled Caste or Scheduled Tribe. Age shall be the Presiding Officer's own estimate and in his own handwriting. The note says vague profession such as "service" should not be used.	(3) In recording occupation, vague expressions such as "service" shall be avoided; the precise nature of employment, work or profession shall be recorded as far as practicable. (4) Caste, religion, tribe, gender identity, disability, nationality or other sensitive personal particulars shall not be recorded as a matter of routine and shall be recorded only where legally relevant to the offence, identity, statutory protection, special law, compensation, victim rights, sentencing or any other matter required by law. (5) In cases under the SC/ST Act or any other special law where caste or tribe status is legally relevant, such status may be recorded to the extent necessary. (6) In cases involving children, victims of sexual offences, vulnerable witnesses, protected witnesses or witnesses under threat, address, school, workplace, shelter home, safe location, contact details and other identifying particulars shall not be disclosed in the public deposition record unless legally necessary. Such details may be kept in a sealed identity sheet or restricted-access electronic record. (7) For child witnesses or victims, age or date of birth shall be recorded with reference to available material where possible. Approximate age may be recorded only where exact age is not available.	2025/2026 — confidentiality and identity protection. SC/ST Act, 1989 — offences, Special Courts and rights of victims/witnesses. Witness Protection Scheme, 2018 and Section 398 BNSS.

	(8) Where necessary, the Court may use initials, witness code, pseudonym or sealed identity reference, subject to law and fair-trial requirements.	
Rule 57-A. Depositions shall be divided into numbered paragraphs. Prosecution witnesses shall be numbered PW-1, PW-2 etc.; defence witnesses DW-1, DW-2 etc.; Court witnesses CW-1, CW-2 etc. Record shall indicate dates of chief, cross and re-examination. Where necessary, deposition shall be in question-answer form. Objections shall be noted and decided immediately or at the end of deposition. If evidence is not concluded on the same day, witness name	**Rule 57-A: Format of deposition of witnesses.** (1) The deposition of each witness shall be divided into separate numbered paragraphs. (2) Prosecution witnesses shall be numbered PW-1, PW-2 and so on; defence witnesses shall be numbered DW-1, DW-2 and so on; and Court witnesses shall be numbered CW-1, CW-2 and so on. (3) The record shall indicate separately the date of examination-in-chief, cross-examination and re-examination. (4) Where evidence is not concluded on the date on which it begins, each continuation sheet shall clearly mention the case number, witness number, name/code of witness and date. (5) The Presiding Officer shall, wherever necessary, record deposition in question-answer form, especially in cases involving vulnerable witnesses, hostile witnesses, identification, contradiction, electronic records, dying declarations, or where clarity requires such form. (6) Objections raised by prosecution or defence shall be noted in the deposition with sufficient clarity and shall be decided immediately or	Existing Rule 57-A, Chapter IX, Patna Criminal Court Rules. Punjab & Haryana High Court Rules, Vol. III, Part E — paragraph numbering, PW/DW/CW numbering, dates of chief/cross/re-examination and objections. Sections 310 to 317 and Section 530, Bharatiya Nagarik Suraksha Sanhita, 2023. Bharatiya Sakshya Adhiniyam, 2023 — electronic/digital records and examination of witnesses. Patna Vulnerable Witness Guidelines.

and number shall be stated on subsequent date.	at the end of the deposition of the witness, as the Court considers appropriate in law. (7) Where evidence is recorded through audio-video electronic means, the deposition shall mention the mode of appearance, identity verification, place of examination, persons present, and technical interruption, if any. (8) Where a vulnerable or protected witness is examined, the deposition shall record the special measures used, such as screen, live link, support person, interpreter, translator or special educator, without disclosing protected particulars. (9) Where electronic records are proved or referred to during deposition, the deposition shall identify the exhibit number, file name, device/storage medium, timestamp, transcript, hash value or certificate details, as far as necessary.	
Rule 58. Where there is doubt as to exact meaning of an expression used and it has important bearing on the offence charged, the words actually used should be written. Where foreign	**Rule 58: Exact words, doubtful expressions, dialects and interpretation.** (1) Where the exact words used by a witness are material, the words actually used shall be recorded as far as practicable. (2) Where an expression is doubtful, dialectal, slang, coded, obscene, abusive, caste-based, threatening, sexual, technical or otherwise legally	Existing Rule 58, Chapter IX, Patna Criminal Court Rules. Sections 312, 314, 317 and 530, Bharatiya Nagarik Suraksha Sanhita, 2023. Bharatiya Sakshya Adhiniyam, 2023 — relevance, proof of electronic records and examination of witnesses. SC/ST

language is used or evidence is delivered in an unfamiliar dialect, an interpreter may be employed.	material, the Court shall preserve the original words and record the meaning explained by the witness. (3) Where the words used constitute an ingredient of the offence, such as insult, threat, caste abuse, sexual harassment, intimidation, demand, inducement or confession, the original words shall be recorded as far as possible. (4) Where the witness uses a foreign language, local dialect, tribal language or language unfamiliar to the Court, a competent interpreter or translator shall be used. (5) Where the witness has communication disability, the Court shall use sign-language interpreter, special educator, communication assistant or other appropriate assistance. (6) The name, role and language/mode of interpretation shall be recorded, and the interpreter shall be bound to interpret truthfully. (7) In cases involving children or vulnerable witnesses, questions shall be simple, clear and non-intimidating, and answers shall be recorded in the words of the witness as far as practicable. (8) Where the exact words occur in an electronic record, message, audio or video file, the relevant portion shall be identified by exhibit number, timestamp, transcript, file name or other identifier.	Act, 1989 — offences where exact caste-based words may be material. Patna Vulnerable Witness Guidelines — simple questions, interpreter/translator/special educator and non-intimidating procedure.

Rule 59. Communications from witnesses regarding attendance in the Court of Sessions should be addressed to the Government Prosecutor or defence lawyer and laid before the Sessions Judge for orders. Orders shall be communicated to the witness through the same channel.	**Rule 59: Communications from witnesses regarding attendance, protection or special assistance.** (1) Communications from witnesses regarding attendance in Court shall be made through the Public Prosecutor, Assistant Public Prosecutor, defence counsel, Investigating Officer, witness facilitation officer, District Legal Services Authority, support person or such other official channel as the Court permits. (2) All such communications shall be placed before the Court for orders and shall form part of the record, unless confidentiality requires sealed or restricted treatment. (3) Orders passed thereon shall be promptly communicated to the witness through the same channel or through any other appropriate official channel. (4) Communications may be received through official e-mail, court portal, CIS-linked system, official mobile number or other approved electronic mode. (5) Where the communication relates to threat, intimidation, disability, illness, old age, pregnancy, child-care difficulty, official duty, transfer, deployment or inability to attend, the Court may pass appropriate directions.	Existing Rule 59, Chapter IX, Patna Criminal Court Rules. Section 346 and Section 530, Bharatiya Nagarik Suraksha Sanhita, 2023. Section 398, Bharatiya Nagarik Suraksha Sanhita, 2023 — witness protection scheme. Witness Protection Scheme, 2018. Patna High Court Guidelines for Recording Evidence of Vulnerable Witnesses. SC/ST Act, 1989 — rights of victims and witnesses.

	(6) Where physical attendance is difficult, unsafe or unnecessary, the Court may consider examination through audio-video electronic means, commission or any other lawful mode. (7) Where the witness is vulnerable or protected, the communication shall not disclose identity, address, school, workplace, shelter home, safe location or contact details in the public record. (8) Where threat or intimidation is disclosed, the Court may refer the matter to the competent authority under the Witness Protection Scheme or any scheme notified under Section 398 BNSS. (9) Such communication shall not be treated as evidence unless proved in accordance with law.	
Rule 60. When several accused persons bearing the same or similar names are included in one trial, care should be taken in recording evidence to specify the father's name of the accused whenever the name of any one of them is mentioned.	**Rule 60: Identification of accused with same or similar names.** (1) Where two or more accused persons in one trial bear the same or similar names, the evidence shall clearly identify the accused referred to. (2) Such identification shall ordinarily be by accused number or rank in the array of accused, together with parentage, spouse/guardian name, alias, age, residence, occupation or other legally permissible identifier as may be necessary. (3) During identification by a witness, the deposition shall record whether the witness identified the accused by name, appearance,	Existing Rule 60, Chapter IX, Patna Criminal Court Rules. Existing Rule 50-C, Patna Criminal Court Rules — subsequent reference to accused by rank/number. Patna High Court Circular Order No. 05 of 2024 — caste/religion not to be mentioned unless legally necessary.

	relationship, role, act, location, accused number, dock identification or any other manner. (4) Where individual acts are attributed to different accused, the deposition shall avoid vague collective expressions and shall record the role attributed to each accused as far as stated by the witness. (5) Caste, religion or other sensitive identifier shall not be used merely to distinguish accused unless legally relevant to the offence, identity or special law. (6) In electronic records/CIS, accused index number shall be used consistently. (7) This Rule shall apply, as far as practicable, to witnesses or victims with same or similar names where identification is necessary.	
Rule 61. Where any person whose evidence is essential may be in imminent danger of dying before trial, the deposition of the dying person should, if possible, be recorded in the presence of the accused, if any, or attesting witnesses, and in	**Rule 61: Recording evidence or statement of a person in imminent danger of death.** (1) Where a person whose evidence appears material is in imminent danger of death or is likely to become unavailable by reason of serious medical condition, the Court or Magistrate shall take immediate steps to preserve such evidence or statement. (2) Where practicable, such statement or deposition shall be recorded by a Judicial Magistrate.	Existing Rule 61, Chapter IX, Patna Criminal Court Rules. Section 183, Bharatiya Nagarik Suraksha Sanhita, 2023 — recording of statements by Magistrate, including special provisions for sexual offences, serious offences and persons with disability. Sections 310 to 317 and Section 530, Bharatiya Nagarik Suraksha Sanhita,

the event of death, submitted at trial with evidence of this fact.	(3) Before recording, medical opinion as to consciousness and fitness of the person shall be obtained where possible. If such opinion cannot be obtained due to urgency, reasons shall be recorded. (4) The record shall mention date, time, place, medical condition of the maker, persons present, and circumstances in which the statement or deposition is recorded. (5) Police officers, relatives or persons likely to influence the maker shall not remain present unless their presence is necessary, and reasons shall be recorded. (6) If the accused is known and available, recording may be in his presence or through audio-video electronic means, unless urgency, safety, medical condition or vulnerability of the witness requires otherwise. (7) If the accused is not present, the reason shall be recorded and attesting witnesses may be associated where possible. (8) Where the maker is a child, vulnerable witness, person with disability, victim of sexual offence, elderly person or person requiring assistance, the Court may use support person, interpreter, translator, special educator, communication assistant or other reasonable accommodation.	2023. Bharatiya Sakshya Adhiniyam, 2023 — relevancy and proof of statements by persons who cannot be produced, dying declarations and electronic records. Patna High Court Guidelines for Recording Evidence of Vulnerable Witnesses.

	(9) Where feasible, the statement or deposition shall be audio-video recorded and preserved securely. (10) The statement shall be read over or explained to the maker, corrected where necessary, and signed or thumb-marked if the maker is able. (11) The recording officer or Magistrate shall certify the manner of recording and shall seal and forward the record to the Court concerned. (12) The admissibility and evidentiary value of such statement or deposition shall be determined by the trial Court in accordance with law.	
New Rule.	**Rule 61-A: Recording of evidence through audio-video electronic means.** (1) Evidence may be recorded through audio-video electronic means where permitted by law, by direction of the Court or under rules/directions issued by the High Court. (2) Before recording, the Court shall verify the identity of the witness and record the place from which the witness is deposing. (3) The Court shall record the presence of accused, advocate, prosecutor, interpreter, support person, special educator, court staff and any other person present at the remote location.	Section 530, Bharatiya Nagarik Suraksha Sanhita, 2023 — proceedings through electronic mode. Sections 310 to 317, Bharatiya Nagarik Suraksha Sanhita, 2023. Patna High Court Guidelines for Recording Evidence of Vulnerable Witnesses — live link/audio-video special measures. The Use of Electronic Communication and Audio-Video Electronic Means for the

	(4) The witness shall depose from a place that is secure, free from influence, and visible/audible to the Court, unless special witness-protection measures require otherwise. (5) Any technical interruption, disconnection, inaudibility, visibility issue or objection relating to mode of recording shall be noted in the deposition or order-sheet. (6) The audio-video record, if preserved, shall be identified by date, time, file reference or other identifier and shall be stored securely. (7) The transcript or deposition prepared from such recording shall be read over, corrected, authenticated and supplied subject to law. (8) In vulnerable or protected witness cases, audio-video recording shall be conducted in a manner that protects identity, privacy, location and safety.	District Courts of Bihar Rules, 2025, as referred in Patna Guidelines.
New Rule.	**Rule 61-B: Recording evidence of vulnerable witnesses.** (1) In every inquiry or trial involving a vulnerable witness, the Court shall follow the Patna High Court Guidelines for Recording Evidence of Vulnerable Witnesses, as amended from time to time. (2) A vulnerable witness may include a child, victim of sexual offence, victim of domestic violence, person with disability, person with mental illness, elderly witness, witness under threat perception, person affected by trauma, language barrier, caste-based vulnerability, gender identity	Patna High Court Guidelines for Recording Evidence of Vulnerable Witnesses, 2025/2026. Supreme Court directions in *Smruti Tukaram Badade v. State of Maharashtra*, as reflected in Patna Guidelines. Delhi/Telangana vulnerable witness guideline materials. POCSO Act, 2012; Juvenile Justice

	vulnerability, geographical isolation or any other witness whom the Court considers vulnerable. (3) The Court may, suo motu or on application, direct special measures including separate waiting area, screen, live link, audio-video electronic means, support person, interpreter, translator, special educator, person familiar with the witness's communication, pre-trial familiarisation or other reasonable accommodation. (4) Questions to a vulnerable witness shall be simple, clear and age/development appropriate. Long, compound, confusing, humiliating, aggressive, repetitive or intimidating questions may be disallowed or rephrased by the Court. (5) The Court shall explain to the vulnerable witness, in simple language, the manner of deposition, the need to speak truthfully, the right to say that the witness does not understand or does not remember, and the right to seek clarification of a question. (6) The Court shall ensure that examination is conducted in a manner that avoids secondary victimisation and unnecessary exposure to the accused. (7) No adverse inference shall be drawn merely because a witness has used special measures for giving evidence.	Act, 2015; Rights of Persons with Disabilities Act, 2016.

New Rule.	**Rule 61-C: Confidentiality, redaction and restricted access to sensitive depositions.** (1) Where disclosure of identity, address, location, school, workplace, shelter home, safe location, contact details or other particulars of a witness may endanger safety, privacy or dignity, the Court may direct that such particulars be sealed, redacted, anonymised or kept in restricted access. (2) Orders, depositions, exhibits, cause lists, registers and electronic uploads shall be redacted wherever required to protect the identity of children, victims of sexual offences, vulnerable witnesses, protected witnesses or witnesses under threat. (3) Audio-video recording of testimony of a vulnerable or protected witness shall not be copied, shown, supplied, loaned, transmitted or published except by order of the Court. (4) Inspection or supply of sensitive deposition records may be regulated by redaction, supervised inspection, transcript supply, sealed cover or restricted digital access, subject to fair-trial rights. (5) Any breach of confidentiality shall be brought to the notice of the Presiding Officer and may be reported to the District Judge or High Court for appropriate action.	Patna Vulnerable Witness Guidelines — confidentiality, identity protection, restricted access and prohibition on unauthorised copying/sharing of recordings. Witness Protection Scheme, 2018. Section 398, Bharatiya Nagarik Suraksha Sanhita, 2023.

New Rule.	**Rule 61-D: Witness protection and threat disclosure during evidence.** (1) Where a witness, victim, complainant or any person connected with the proceeding discloses threat, intimidation, coercion, inducement, harassment, surveillance or fear affecting testimony, the Court shall record the substance of such disclosure, subject to confidentiality. (2) The Court may pass immediate protective directions, including non-disclosure of address, separate waiting arrangement, police assistance, regulated entry/exit, screen, live link, no-contact direction or other lawful measure. (3) Where formal protection is required, the Court may refer the matter to the competent authority under the Witness Protection Scheme, 2018 or any scheme notified under Section 398 BNSS. (4) In cases under special statutes giving victim/witness protection rights, including SC/ST Act and POCSO Act, the Court shall ensure compliance with such statutory safeguards. (5) The protection request and orders passed thereon shall be maintained in sealed or restricted-access form where disclosure may increase risk.	Section 398, Bharatiya Nagarik Suraksha Sanhita, 2023. Witness Protection Scheme, 2018. Maharashtra Witness Protection and Security Act, 2017 — statutory comparative model for witness protection during investigation and trial. SC/ST Act, 1989 — rights of victims and witnesses. Patna Vulnerable Witness Guidelines.
New Rule.	**Rule 61-E: Handling of electronic and digital exhibits during deposition.**	Bharatiya Sakshya Adhiniyam, 2023 — electronic/digital records and

	(1) Where electronic or digital material is produced, proved, marked or referred to during deposition, the Court shall ensure that it is clearly identified in the deposition. (2) Such identification may include exhibit number, file name, device or storage medium, date and time, timestamp, hash value, transcript, certificate, seizure memo, forensic report or chain of custody particulars, as may be necessary. (3) Where only a portion of audio, video, CCTV footage, chat, message, e-mail or social media record is relied upon, the relevant portion shall be identified by timestamp, transcript, screenshot, page number or other precise marker. (4) Where electronic record is sensitive, contains sexual content, child abuse material, private images, protected identity or confidential information, inspection and supply shall be regulated by the Court. (5) The original device, clone, forensic image or storage medium shall be preserved in accordance with law and High Court directions. (6) Nothing in this Rule shall dispense with proof or certification required under the Bharatiya Sakshya Adhiniyam, 2023.	certificate for electronic records. Maharashtra eSakshya Management Rules, 2025 — hash value, timestamp, geo-location, secure storage and electronic evidence management principles. Patna Vulnerable Witness Guidelines — restricted handling of sensitive records.
New Rule.	**Rule 61-F: Competence and communication assessment of child or vulnerable witness.**	Patna High Court Guidelines for Recording Evidence of Vulnerable Witnesses, 2025/2026 — competence

	(1) Before examining a child witness or any vulnerable witness where competence or communication ability requires assessment, the Presiding Officer may conduct a preliminary competence and communication assessment. (2) Such assessment shall be conducted in simple, age-appropriate and development-appropriate language and shall not ordinarily include general knowledge, current affairs, abstract, philosophical or intimidating questions. (3) The Court shall ascertain whether the witness understands the duty to speak truth and whether the witness can communicate answers by speech, sign, gesture, writing, assistive device, interpreter, special educator or other means. (4) A support person, interpreter, translator, special educator, person familiar with the witness's communication or other appropriate person may remain present if the Court considers it necessary. (5) The fact that such assessment was conducted, and the result thereof, shall be recorded briefly without disclosing unnecessary sensitive details. (6) The Court may modify the manner of questioning and recording evidence according to the communication needs of the witness, while preserving the accused's right of cross-examination and fair trial.	assessment, communication support and special measures. Delhi/Telangana vulnerable witness guidelines and Justice Gita Mittal material on vulnerable witnesses. POCSO Act, 2012; Juvenile Justice Act, 2015; Rights of Persons with Disabilities Act, 2016.

	CHAPTER X **JUDGMENT AND SENTENCE** **RULES 62 TO 67-L** • **Circular 05/2024** — caste/religion/sensitive identity non-disclosure; • **Circular 06/2024** — order-writing discipline and procedural chronology; • **Circular 02/2025** — legal aid information/coversheet for higher remedies; • **Circular 06/2025 / Mir Usman** — expedition and avoidance of delay; • **Patna Vulnerable Witness Guidelines 2025/2026** — redaction, anonymisation, identity protection, restricted access; • **Witness Protection Scheme, 2018 / Section 398 BNSS** — protected witness identity and confidentiality; • **Bihar Victim Compensation Scheme** — compensation and rehabilitation reference.	
Rule 62. Judgments should be written legibly and on one side of the paper only, a margin of one-fourth of each sheet being left blank.	**Rule 62: Form, format, authentication and preservation of judgment.** (1) Every judgment shall be written, typed, computer-generated or electronically prepared in a clear, legible and properly formatted manner. (2) Where computer or electronic facility is available, judgments shall, as far as practicable, be prepared in typed or computer-generated form.	Existing Rule 62, Chapter X, Patna Criminal Court Rules. Sections 392 and 393 BNSS — judgment, language and contents of judgment. Section 530 BNSS — electronic mode of proceedings. Information Technology Act, 2000 — electronic records and

	(3) Every judgment shall contain proper margins, pagination and spacing, and shall be suitable for certified copying, appellate scrutiny, digital preservation and transmission. (4) Use of both sides of paper may be permitted where it does not affect legibility, certification or preservation. (5) Every judgment shall clearly mention the name of the Court, case number, CNR number where available, police station case number or complaint number, name and designation of the Presiding Officer, date of judgment and the statutory provision under which the judgment is delivered. (6) The judgment shall be signed manually or digitally by the Presiding Officer in accordance with law and the directions of the High Court. (7) Where the judgment is maintained electronically, the authenticated electronic copy shall form part of the judicial record and shall be preserved in CIS/e-Courts record or other approved electronic system. (8) In cases involving children, sexual offences, vulnerable witnesses, protected witnesses, persons under witness protection or any person whose identity is protected by law or by order of Court, the judgment shall be prepared, uploaded, supplied and transmitted subject to redaction, anonymisation or restricted access, as required.	authentication. Patna Vulnerable Witness Guidelines / Witness Protection Scheme, 2018 — confidentiality, identity protection and restricted access.

Rule 62-A. Every judgment shall contain preface, tabular statement and appendix of prosecution witnesses, defence witnesses, Court witnesses, exhibits and material objects.	**Rule 62-A: Preface, tabular statement and appendices to judgment.** (1) Every judgment shall begin with a preface in the prescribed form containing the name of the Court, case number, CNR number where available, police station case number or complaint number, names of parties, names of advocates, date of judgment and other necessary particulars. (2) Every judgment shall contain a tabular statement showing, as far as applicable: (a) date of offence; (b) date of FIR, complaint or institution; (c) date of arrest, surrender or appearance; (d) date of police report, charge-sheet, complaint or final report; (e) date of cognizance; (f) date of commitment, where applicable; (g) date of framing of charge or explanation of accusation; (h) date of commencement and conclusion of evidence; (i) date on which judgment was reserved; (j) date of judgment; (k) date fixed for hearing on sentence; (l) date of sentencing order, if separately passed; (m) custody period undergone by each accused;	Existing Rule 62-A, Forms A, B and C. Section 393 BNSS — contents of judgment. Section 468 BNSS — set-off. Sections 395 and 396 BNSS — compensation and victim compensation. BSA, 2023 — electronic/digital records and certificates. Patna Circular 05/2024 — caste/religion/sensitive identity non-disclosure. Patna Circular 06/2024 — order-writing discipline. Patna Circular 06/2025 / *CBI v. Mir Usman @ Ara @ Mir Usman Ali* — expedition and avoidance of unnecessary delay. *Manoj v. State of M.P.*requires sentencing courts in capital cases to collect mitigation material, including psychiatric/psychological evaluation and prison/probation material.

	(n) set-off under Section 468 BNSS; (o) compensation, victim compensation or rehabilitation direction, if any; and (p) reasons for delay, if any, in pronouncement of judgment or sentencing order. (3) Every judgment shall contain appendices showing: (a) list of prosecution witnesses; (b) list of defence witnesses; (c) list of Court witnesses; (d) list of prosecution exhibits; (e) list of defence exhibits; (f) list of Court exhibits; (g) list of material objects; (h) list of electronic/digital exhibits; (i) list of forensic, DNA, medical, scientific or expert reports; (j) list of documents relied upon at the stage of sentence; (k) list of reports called for sentencing, including probation report, jail conduct report, psychological/psychiatric evaluation report and social-background report, wherever applicable; and (l) sealed or restricted exhibits, wherever applicable.	

	(4) Electronic and digital exhibits shall, as far as practicable, be identified by exhibit number, description, storage medium, file name, certificate details, hash value where available, and whether the record is sealed or restricted. (5) In cases involving multiple accused, the tabular statement shall separately indicate the offence charged, finding, sentence, fine, compensation, custody period and set-off for each accused. (6) In cases where identity protection is required, the Forms and appendices shall use initials, codes, pseudonyms or sealed identity references, and the public version shall be redacted or anonymised. (7) Caste, religion or other sensitive personal particulars shall not be mentioned unless legally necessary.	
Rule 62-B. In compliance with Sections 354 and 355 Cr.P.C., in all cases, judgments shall contain: (i) the point or points for determination; (ii) the decision thereon; and (iii) the reasons for the decision.	**Rule 62-B: Points for determination, decision and reasons.** (1) Every judgment shall contain the point or points for determination, the decision thereon and the reasons for the decision in accordance with Section 393 BNSS. (2) In cases involving more than one charge or more than one accused, points for determination shall, as far as necessary, be framed charge-wise and accused-wise.	Existing Rule 62-B. Section 393 BNSS — points for determination, decision and reasons. BSA, 2023 — appreciation of oral, documentary, electronic and expert evidence. *Dilaver Hussain v. State of Gujarat* explains the importance of the complete criminological chain in circumstantial evidence, including the "why, where,

	(3) The judgment shall deal with the essential ingredients of the offence, the material evidence, the defence, and the legal provisions applicable to the case. (4) The finding shall be recorded separately in respect of each accused and each charge wherever required. (5) Where conviction is based on circumstantial evidence, the judgment shall separately identify each circumstance relied upon and record whether each circumstance is proved beyond reasonable doubt. (6) Where DNA, forensic, biological, medical or scientific evidence is relied upon, the judgment shall examine the foundational facts, expert proof, chain of custody, sample collection, sealing, preservation, forwarding, laboratory receipt, report and link evidence. (7) Where electronic or digital evidence is relied upon, the judgment shall indicate the manner in which such evidence has been considered, including exhibit number, certificate, transcript, timestamp, hash value or other identifying particulars where necessary. (8) Where confession, disclosure statement or recovery is relied upon, the judgment shall distinguish the admissible portion from the inadmissible portion and shall not reproduce or rely upon the entire confession where only the discovery portion is admissible.	when, how and who" links. *Kattavellai @ Devakar v. State of Tamil Nadu*, 2025 INSC 845, concerns DNA evidence and directions on collection, preservation and chain of custody. *Karandeep Sharma @ Razia @ Raju v. State of Uttarakhand* records that non-examination of the DNA expert who conducted profiling was a serious flaw. *Pradeep v. State of Haryana* reiterates that a child witness is competent under Section 118 Evidence Act, but the Court must carefully scrutinize possible tutoring and treat corroboration as a prudential safeguard.

	(9) Where child witness, vulnerable witness or protected witness testimony is relied upon, the judgment shall record the caution applied by the Court and whether the testimony inspires confidence, with corroboration where necessary. (10) Where identity of the accused is disputed and dock identification is relied upon, the judgment shall consider whether Test Identification Parade was held, and if not, the effect of such omission. (11) Where any objection regarding admissibility of evidence was deferred during trial, the judgment shall decide such objection before relying upon or excluding the material. (12) In cases under special statutes, the judgment shall address statutory ingredients, presumptions, burden of proof, victim rights, compensation, forfeiture, confiscation or other special consequences. (13) In cases involving children, sexual offences, vulnerable witnesses or protected witnesses, reasons shall be recorded in a manner that does not disclose protected identity or unnecessary personal details. (14) The reasons shall be clear and sufficient for appellate or revisional scrutiny and shall avoid unnecessary reproduction of depositions.	
Rule 62-C. In case of conviction, the judgment shall separately indicate the	**Rule 62-C: Conviction, acquittal, sentence and consequential directions.**	Existing Rule 62-C. Section 393 BNSS — offence, section and punishment to be stated. Section 468 BNSS — set-off.

offence involved and the sentence awarded. In case there are multiple accused, each of them shall be dealt with separately. In case of acquittal and if the accused is in confinement, direction shall be given to set the accused at liberty, unless such accused is in custody in any other case.	(1) In every case of conviction, the judgment shall separately indicate the offence proved, the section of law under which conviction is recorded, and the sentence awarded. (2) Where there are multiple accused, the judgment and sentencing order shall deal separately with each accused and shall clearly state the finding, offence, sentence, fine, compensation, set-off and custody direction applicable to each. (3) The sentence shall specify term and nature of imprisonment, fine, default sentence, compensation, victim compensation recommendation, forfeiture, confiscation, disqualification, notification requirement or other statutory consequence. (4) The judgment or sentencing order shall record the period of detention undergone during investigation, inquiry or trial and the set-off admissible under Section 468 BNSS. (5) Where sentence of death is awarded, the judgment and sentencing order shall record special reasons and shall indicate that the sentence is subject to confirmation by the High Court. (6) Where any document, forensic report, DNA report, previous conviction material, victim-impact material, jail report, probation report, psychological/psychiatric report or other sentencing material is	Sections 407 to 412 BNSS — confirmation of death sentence. *Dashwanth v. State of Tamil Nadu*, 2025 INSC 1203, is relevant for fair-trial and sentencing concerns in a capital POCSO/murder case, including defects in disclosure and forensic foundation.

	relied upon, the Court shall record that copy/inspection of such material was supplied to the accused and that opportunity of response was given. (7) In case of acquittal, where the accused is in custody, the judgment shall direct that the accused be set at liberty forthwith, unless required in any other case. (8) Release order shall be issued immediately to the jail or authority concerned, physically or through electronic mode where available. (9) The judgment shall also deal with cancellation or continuation of bonds, return or confiscation of property, disposal of material objects and electronic records, and any consequential statutory direction. (10) In special law cases, the Court shall comply with provisions relating to minimum sentence, enhanced sentence, compensation, victim rights, forfeiture, confiscation or other statutory consequence.	
Rule 62-D. In the judgment, the accused, witnesses, exhibits and material objects shall be referred to by their nomenclature or number and not only by their names or otherwise. Wherever there is need to refer to the accused	**Rule 62-D: References to accused, witnesses, exhibits, material objects and electronic records in judgment.** (1) In every judgment, accused persons shall ordinarily be referred to by their rank or number in the array of accused, such as A-1, A-2 and so on. (2) Witnesses shall ordinarily be referred to by their witness number, such as PW, DW or CW number, as the case may be.	Existing Rule 62-D, Chapter X, Patna Criminal Court Rules. Existing Rule 50-C and Rule 57-A, Patna Criminal Court Rules — references to accused/witnesses/exhibits by number and PW/DW/CW numbering. Bharatiya Sakshya Adhiniyam, 2023 — electronic/digital records and

or witnesses by name, the number shall be indicated within brackets.	(3) Exhibits, material objects and electronic or digital records shall be referred to by their exhibit number, material object number or digital exhibit number. (4) Where it is necessary to refer to any accused or witness by name, the corresponding accused number or witness number shall also be mentioned in brackets. (5) Electronic or digital evidence shall, wherever necessary, be further identified by file name, device, storage medium, transcript, timestamp, certificate, hash value or other identifier. (6) In cases involving vulnerable witnesses, protected witnesses, children, victims of sexual offences or witnesses under threat, the judgment may use initials, pseudonyms, witness codes or sealed identity references, subject to law and fair-trial requirements. (7) The nomenclature adopted during trial shall be maintained consistently in the judgment, appendices, sentencing order and final operative order. (8) Publicly uploaded or supplied versions of judgments shall be redacted or anonymised wherever identity protection is required by law or by order of Court.	certificate for electronic records. Patna Vulnerable Witness Guidelines — identity protection, redaction, sealed identity references and restricted access. Witness Protection Scheme, 2018 — identity protection and confidentiality. Section 398, Bharatiya Nagarik Suraksha Sanhita, 2023 — witness protection scheme.
Rule 62-E. The judgment shall be written in paragraphs	**Rule 62-E: Paragraph numbering and organisation of judgment.**	Existing Rule 62-E, Chapter X, Patna Criminal Court Rules. Section 393,

and each paragraph shall be numbered in seriatim. The Presiding Officers may, in their discretion, organize the judgment into different sections.	(1) Every judgment shall be written in consecutively numbered paragraphs. (2) Paragraph numbering shall be continuous throughout the judgment, even where the judgment is divided into different sections. (3) The Presiding Officer may organise the judgment into sections for clarity. (4) In Sessions trials, warrant cases, special statute cases, multi-accused cases, cases involving complex evidence, electronic evidence or vulnerable witnesses, section-wise organisation should ordinarily be followed. (5) The judgment may, as far as appropriate, contain sections relating to— (a) case details and appearance; (b) prosecution case; (c) charge or accusation; (d) plea of accused; (e) prosecution evidence; (f) statement of accused; (g) defence evidence, if any; (h) points for determination; (i) appreciation of evidence;	Bharatiya Nagarik Suraksha Sanhita, 2023 — judgment to contain reasons and decision. Patna High Court Circular Order No. 06 of 2024 — order-writing discipline and clarity in judicial orders. Patna High Court Circular Order No. 06 of 2025 / *CBI v. Mir Usman @ Ara @ Mir Usman Ali*, 2025 INSC 1155 — expedition and avoidance of unnecessary adjournments; relevant to structured chronology and trial progress. Patna Vulnerable Witness Guidelines — non-disclosure of protected identity in public judicial records.

	(j) findings charge-wise and accused-wise; (k) sentence hearing, if convicted; (l) compensation or victim compensation; (m) final order; and (n) appendices of witnesses, exhibits and material objects. (6) The judgment shall avoid unnecessary reproduction of entire depositions and shall focus on material evidence, legal ingredients, findings and reasons. (7) In sensitive cases, paragraph headings and section titles shall not disclose protected identity or confidential particulars.	
New Rule.	**Rule 62-F: Judgment in cases based on circumstantial evidence.** (1) Where conviction is sought to be based wholly or substantially on circumstantial evidence, the judgment shall separately identify each circumstance relied upon by the prosecution. (2) The Court shall record whether each circumstance has been proved beyond reasonable doubt. (3) The Court shall examine whether the circumstances form a complete chain pointing only to the guilt of the accused and excluding every reasonable hypothesis consistent with innocence. (4) The judgment shall specifically examine the links of the chain, including, where applicable, **why, where, when, how and who**.	*Dilaver Hussain v. State of Gujarat* — circumstantial evidence requires a complete criminological chain, including "why, where, when, how and who." The third attachment refers to non-disclosure by last-seen witness, conduct of family members and doubtful last-seen evidence. *Dashwanth v. State of Tamil Nadu* is also relevant because the Supreme Court noticed defects in the

	(5) Last-seen evidence shall be examined with caution, including time gap, conduct of witness, delay in disclosure, relationship of witness, possibility of tutoring or fabrication, and whether it is corroborated by other reliable evidence. (6) In circumstantial evidence cases, suspicion, public sentiment, gravity of offence or moral conviction shall not substitute proof. (7) Where any link is missing, doubtful, artificially created, contradicted, unsupported by scientific evidence, or dependent upon weak evidence such as doubtful last-seen evidence, unproved recovery, unreliable confession or defective forensic link, the judgment shall record the effect of such deficiency. (8) In capital cases based on circumstantial evidence, the Court shall apply heightened scrutiny before recording conviction and before considering death sentence.	prosecution chain, including last-seen and forensic links.
New Rule.	**Rule 62-G: Appreciation of DNA, forensic and scientific evidence in judgment.** (1) Where the prosecution relies upon DNA evidence, biological sample, forensic sample, medical evidence or scientific report, the judgment shall specifically examine collection, sealing, preservation, storage, forwarding, receipt, analysis and production of such material before Court.	*Kattavellai @ Devakar v. State of Tamil Nadu*, 2025 INSC 845 — Supreme Court dealt with DNA evidence and issued directions concerning collection, documentation, preservation and chain of custody. *Karandeep Sharma @ Razia*

	(2) The Court shall examine whether the prosecution has proved: (a) who collected the sample; (b) date, time and place of collection; (c) identity of the person/object/place from which sample was collected; (d) method of sealing and labelling; (e) FIR/case number and sample number; (f) signatures of medical officer, investigating officer and witnesses, where applicable; (g) safe custody in malkhana or other authorised custody; (h) chain of custody from collection to FSL/laboratory; (i) condition of seal at every stage; (j) date and mode of dispatch to FSL/laboratory; (k) receipt by laboratory; (l) examination by expert; (m) DNA/forensic report; and (n) production and proof of report according to law. (3) A DNA/forensic report shall not be relied upon mechanically. The Court shall examine whether the sample and report are linked to the accused, victim, place of occurrence or material object through legally admissible evidence.	@ *Raju v. State of Uttarakhand* — non-examination of DNA expert who conducted DNA profiling was noted as a serious flaw; the DNA report was exhibited through an investigating officer not connected with the report. *Dashwanth v. State of Tamil Nadu* — chain of custody and foundational defects in forensic evidence were treated as material.

	(4) Where chain of custody is broken, malkhana witness is not examined, forwarding link is missing, seal condition is doubtful, sample source is not proved, or expert is not examined despite serious dispute, the Court shall record the effect of such lapse. (5) In serious offences, including POCSO, sexual offences and capital cases, DNA/forensic material relied upon by prosecution shall be supplied to the accused in advance and opportunity shall be given to challenge the report, expert opinion and chain of custody. (6) Where the Court relies upon DNA or forensic report without examining the expert, it shall record why such examination was unnecessary and whether the defence disputed the report. (7) The Court shall not treat a forensic report as conclusive proof unless foundational facts and chain of custody are proved.	
New Rule.	**Rule 62-H: Confession, disclosure statement and recovery evidence in judgment.** (1) Where the prosecution relies upon confession, disclosure statement or recovery, the judgment shall separately identify the exact admissible portion. (2) The Court shall not reproduce or rely upon the entire confession if only the portion leading distinctly to discovery is admissible. (3) The judgment shall examine:	The third attachment notes issues relating to confession leading to recovery, inadmissible confession, arrest memo not brought on record, and alleged creation of recovery/last-seen evidence. *State of U.P. v. Deoman Upadhyaya* — only the legally admissible portion of the information

	(a) whether the accused was in custody; (b) whether the statement was voluntary; (c) exact words of disclosure; (d) what fact was discovered; (e) where recovery was made; (f) who witnessed recovery; (g) whether arrest memo was proved; (h) whether recovery memo/seizure list was proved; (i) whether recovered object was connected with offence; and (j) whether recovery is otherwise corroborated. (4) Arrest memo, recovery memo, seizure list, independent witnesses, malkhana entry and FSL forwarding shall be considered where relevant. (5) Where alleged recovery appears planted, unexplained, unsupported by arrest memo, contradicted by evidence, or created by the investigating officer, the Court shall record the effect of such defect.	leading to discovery may be used; the whole confession cannot be treated as admissible.
New Rule.	**Rule 62-I: Child witness and vulnerable witness testimony in judgment.** (1) Where prosecution relies upon testimony of a child witness or vulnerable witness, the judgment shall record whether the witness was	*Pradeep v. State of Haryana* — child witness is competent under Section 118 Evidence Act, but Courts must carefully scrutinise the testimony, consider possibility of tutoring, and

	competent to depose and whether adequate caution was applied before relying upon such testimony. (2) The Court shall consider whether the witness was susceptible to tutoring, influence, pressure, fear or suggestion. (3) Corroboration of child witness testimony is not an inflexible rule, but where circumstances require caution, the Court shall record whether corroboration is available. (4) The Court shall assess quality, consistency, naturalness and reliability of the testimony and shall not proceed on stereotypes either for or against a child/vulnerable witness. (5) Where special measures such as support person, interpreter, screen, video-link or in-camera process were used, the judgment/order-sheet shall reflect the same without disclosing protected identity.	treat corroboration as a measure of caution and prudence. Patna Vulnerable Witness Guidelines — vulnerable witness procedure and confidentiality.
New Rule.	**Rule 62-J: Test Identification Parade and dock identification.** (1) Where identity of the accused is disputed and the accused was not previously known to the witness, the judgment shall consider whether Test Identification Parade was conducted. (2) If no Test Identification Parade was conducted, the Court shall record the effect of such omission on reliability of dock identification.	The third attachment records that where the accused is stranger to a witness and no TIP was conducted, dock identification must be treated cautiously and identification for the first time in Court is weak evidence unless supported by sterling quality evidence.

	(3) Identification for the first time in Court shall ordinarily be treated with caution, especially where the witness was a stranger to the accused and there is no other sterling evidence. (4) The Court shall examine whether delay, exposure of accused to witness, media/publicity, police showing, absence of TIP, or contradictions affect identification evidence. (5) Non-holding of TIP may not be fatal where evidence is otherwise of sterling quality, but the judgment shall record reasons for accepting such identification.	
Rule 63. A typewriting machine may be used for recording judgments in criminal cases. It must be used by the Presiding Officer himself and a certificate must be given. Alternatively, it may be used to the dictation of the Presiding Officer, with a certificate that the judgment has been dictated and corrected by him. Each	**Rule 63: Preparation, correction and authentication of typed, computer-generated or electronic judgments.** (1) A judgment may be prepared in handwritten, typed, computer-generated or electronic form; however, typed or computer-generated form shall be preferred wherever facilities exist. (2) Where a judgment is typed, computer-generated or electronically prepared, it shall be prepared by the Presiding Officer himself or under his dictation, direction and supervision. (3) The Presiding Officer shall certify, where necessary, that the judgment has been prepared, dictated, corrected and approved by him. (4) Each page of a physical judgment shall be signed or initialled by the Presiding Officer.	Existing Rule 63, Chapter X, Patna Criminal Court Rules. Sections 393, 404 and 530, Bharatiya Nagarik Suraksha Sanhita, 2023 — judgment, copy of judgment and electronic mode. Information Technology Act, 2000 — electronic records and authentication. Patna Vulnerable Witness Guidelines — redaction and protection of sensitive records. Witness Protection Scheme, 2018 — confidentiality and identity protection.

page must be attested by the Presiding Officer's signature.	(5) An electronic judgment shall be digitally signed or authenticated in the manner approved by the High Court. (6) Corrections made before signing or authentication shall be authenticated by the Presiding Officer. (7) No alteration shall be made after signing or authentication except by formal correction, corrigendum or order permitted by law. (8) The signed or authenticated judgment shall be preserved in the physical or electronic case record. (9) Public copies or uploads of judgments shall be redacted wherever identity protection, privacy, witness protection or confidentiality is required by law or by order of Court.	
Rule 64. Whenever an enhanced sentence is passed on conviction on a charge within the terms of Section 75 of the Indian Penal Code, the Sessions Judge or Magistrate shall state in his judgment the date of each previous conviction, the	**Rule 64: Previous conviction and enhanced punishment.** (1) Where enhanced punishment is awarded on the basis of previous conviction under the Bharatiya Nyaya Sanhita, 2023, the Indian Penal Code, 1860, or any special law, the judgment shall state the statutory provision under which enhancement is invoked. (2) The judgment shall record— (a) date of each previous conviction; (b) Court by which the conviction was recorded; (c) case number, if available; (d) offence and section of law;	Existing Rule 64, Chapter X, Patna Criminal Court Rules. Section 75, Indian Penal Code, 1860 / corresponding provisions under Bharatiya Nyaya Sanhita, 2023 and special laws. Section 393, Bharatiya Nagarik Suraksha Sanhita, 2023 — reasons and sentence. NDPS Act, 1985 — enhanced punishment/repeat offender consequences and special

sentence passed, and the particular offence charged.	(e) sentence passed; (f) whether appeal/revision, if any, is pending or decided, if known; and (g) the manner in which previous conviction was proved or admitted. (3) The Court shall record whether the previous conviction legally satisfies the condition for enhanced punishment. (4) No enhanced punishment shall be awarded merely on the basis of pending FIRs, criminal antecedent reports, police reports or unproved allegations. (5) If the accused disputes the previous conviction, the judgment shall record the evidence by which such conviction is proved. (6) In cases under special statutes, the judgment shall comply with the specific provision relating to enhanced punishment or repeat offender consequences. (7) The sentence order shall separately indicate the ordinary punishment range and the enhanced punishment awarded, wherever necessary.	sentencing framework. Other special statutes providing enhanced punishment on previous conviction, wherever applicable.
Rule 65. When a Sessions Judge, in any judgment whether at Sessions trial, appeal or revision, expressly condemns or praises the	**Rule 65: Forwarding of judgments containing remarks on investigation, prosecution or official conduct.** (1) Where a judgment expressly praises or criticises the conduct of any police officer, investigating officer, prosecution officer, medical officer, forensic officer, jail officer or public servant connected with	Existing Rule 65, Chapter X, Patna Criminal Court Rules. Supreme Court principles on restraint in making adverse remarks against officials/persons not heard. Patna High

action of police or of any particular police officer, a copy of such judgment should be forwarded to the Magistrate of the district for information.	investigation, inquiry, trial or production of evidence, the Court may forward a copy of the judgment or relevant extract to the appropriate authority. (2) Adverse remarks affecting the reputation, professional standing or service record of any officer or public servant shall be made only where such remarks are necessary for deciding the case or for administration of justice, are supported by material on record, and, where practicable, after giving the concerned person an opportunity of explanation. (3) The judgment or extract may be forwarded, as appropriate, to the District Magistrate, Superintendent of Police, Director of Prosecution, Head of Department, District Judge, High Court or any other competent authority. (4) Where the remarks disclose systemic defect, deliberate defective investigation, suppression of material evidence, failure to preserve electronic evidence, delay in forensic report, non-compliance with arrest/remand safeguards, breach of victim/witness protection, or improper handling of vulnerable witnesses, the Court may recommend inquiry, training, compliance report or administrative action. (5) Where the judgment contains protected victim/witness identity or sensitive material, only a redacted copy or relevant extract shall be forwarded unless the full copy is legally required.	Court Circular Order No. 01 of 2023 — compliance with arrest/detention safeguards flowing from *Arnesh Kumar*principles; relevant where judgment notes arrest/remand violations. Patna High Court Circular Order No. 06 of 2025 / *CBI v. Mir Usman @ Ara @ Mir Usman Ali*, 2025 INSC 1155 — witness scheduling, expeditious trial and prosecution/police responsibility in securing evidence. Patna Vulnerable Witness Guidelines — victim/witness protection and identity safeguards. Witness Protection Scheme, 2018. Section 398, Bharatiya Nagarik Suraksha Sanhita, 2023 — witness protection scheme.

	(6) Appreciation of good investigation, prosecution, witness protection, forensic assistance or official conduct may also be communicated to the appropriate department where the Court considers it proper.	
Rule 66. Sessions Judges and Magistrates shall forward to the Defence Department, Army Branch, Government of India, copies of judgments of all cases in which Commissioned Officers have been tried for criminal offences. In case of other ranks, copies of conviction and sentence only are to be supplied. Where a military pensioner is convicted and sentenced to imprisonment, a copy of judgment shall be sent to the Deputy Controller of Military Pensions,	**Rule 66: Forwarding of judgments and conviction extracts concerning defence personnel, reservists and pensioners.** (1) Where a commissioned officer or officer of the Army, Navy, Air Force or any other defence service is tried by a Criminal Court for any offence, a copy of the judgment shall be forwarded to the competent service authority, Commanding Officer, Record Office or other authority concerned. (2) Where a person of other rank in the Army, Navy, Air Force or other defence service is convicted, a copy or extract of conviction and sentence shall be forwarded to the competent service authority, Commanding Officer or Record Office, unless full judgment is required. (3) Where a defence pensioner is convicted and sentenced to imprisonment, a copy of the judgment or relevant extract shall be forwarded to the competent pension authority.	Existing Rule 66, Chapter X, Patna Criminal Court Rules. Army Act, 1950; Air Force Act, 1950; Navy Act, 1957. Section 404, Bharatiya Nagarik Suraksha Sanhita, 2023 — copy of judgment. Section 530, Bharatiya Nagarik Suraksha Sanhita, 2023 — electronic transmission/electronic mode. Patna Vulnerable Witness Guidelines — redaction and protection of sensitive identity. Witness Protection Scheme, 2018 — confidentiality and protected identity.

Allahabad. Where an Army reservist is sentenced to imprisonment exceeding three months, a report shall be made to the Officer Commanding of the appropriate Reserve Centre.	(4) Where a reservist is sentenced to imprisonment for a term exceeding three months, a report shall be sent to the concerned Reserve Centre, Record Office or competent service authority. (5) The forwarding communication shall, as far as available, mention rank, service number, unit, regiment, ship, squadron, establishment, Record Office, sentence and custody particulars. (6) Transmission may be made physically or through secure official electronic mode. (7) In sensitive cases involving sexual offences, children, vulnerable witnesses, protected witnesses or confidential material, the copy or extract forwarded shall be redacted or sealed as may be necessary. (8) Nothing in this Rule shall affect any provision of law relating to court-martial, service jurisdiction, transfer of proceedings, or delivery of offender to military, naval or air force authorities.	
Rule 67. Sessions Judges and Magistrates shall forward to the Registrar of the Council of Medical Registration, Bihar, free of charge, a copy of the judgment in all cases where a registered medical	**Rule 67: Forwarding of judgments concerning registered medical practitioners.** (1) Where a registered medical practitioner is convicted of any non-bailable offence, the Court shall forward, free of charge, a copy of the judgment or relevant extract to the competent medical regulatory authority.	Existing Rule 67, Chapter X, Patna Criminal Court Rules. National Medical Commission Act, 2019 / applicable State Medical Council law. Section 404, Bharatiya Nagarik Suraksha Sanhita, 2023 — copy of judgment. Section 530, Bharatiya

practitioner is convicted of any non-bailable offence. In other cases, where the judgment contains unfavourable remarks on the professional conduct of a registered medical practitioner, whether accused or witness, a copy or relevant extract shall be sent if the Court considers the conduct should be brought to the attention of the Medical Council.	(2) Where a judgment contains adverse findings or remarks on the professional conduct of a registered medical practitioner, whether as accused, witness or expert, the Court may forward a copy of the judgment or relevant extract to the competent medical regulatory authority, if it considers such communication necessary. (3) The competent authority may include the Bihar Council of Medical Registration, State Medical Council, National Medical Commission, or any other medical regulatory authority, as applicable. (4) Adverse remarks affecting professional reputation shall be made only where necessary for deciding the case or administration of justice, supported by material on record, and after opportunity of explanation where practicable. (5) The forwarding communication shall mention registration number, qualification, place of practice or employment and other relevant particulars, if available. (6) In sensitive cases involving sexual offences, children, vulnerable witnesses, medical privacy, mental health, reproductive history or protected identity, only redacted copy or relevant extract shall be forwarded unless full copy is legally required. (7) Transmission may be made physically or through secure official electronic mode. (8) Nothing in this Rule shall prevent forwarding to	Nagarik Suraksha Sanhita, 2023 — electronic mode/transmission. Medical Examination of Survivors/Victims of Sexual Violence: Handbook for Medical Officers — medico-legal duties, consent, privacy and sensitive handling. Patna Vulnerable Witness Guidelines — identity protection and redaction in sensitive cases. Supreme Court principles on restraint while making adverse professional remarks against persons not heard.

	any other competent regulatory or disciplinary authority where law so requires.	
New Rule.	**Rule 67-A: Hearing on sentence and sentencing order.** (1) Where the accused is convicted, the Court shall hear the accused, the prosecution and, where permitted by law, the victim or informant on the question of sentence before passing the sentencing order. (2) The sentencing order shall record, as far as applicable— (a) offence and statutory punishment; (b) minimum and maximum sentence prescribed; (c) aggravating circumstances; (d) mitigating circumstances; (e) role of the accused; (f) age, health, disability, social circumstances and antecedents of the accused; (g) period of custody undergone; (h) victim impact, injury, loss, trauma and rehabilitation need; (i) compensation and victim compensation; (j) fine and default sentence; (k) whether sentences shall run concurrently or consecutively; and (l) special statutory consequences.	Section 393, Bharatiya Nagarik Suraksha Sanhita, 2023 — reasons for sentence and special reasons for death sentence. Sections 395 and 396, Bharatiya Nagarik Suraksha Sanhita, 2023 — compensation and victim compensation scheme. Section 468, Bharatiya Nagarik Suraksha Sanhita, 2023 — set-off. Supreme Court sentencing jurisprudence requiring hearing on sentence and consideration of aggravating/mitigating circumstances, especially in capital cases. Patna High Court Circular Order No. 02 of 2025 — legal aid information for pursuing higher remedies after adverse final orders. SC/ST Act, 1989 — victim's right of participation, hearing and written submissions.

	(3) In cases where death sentence is considered, the Court shall give special opportunity to the accused to place mitigating circumstances and shall record special reasons required by law. (4) In cases under special statutes, the Court shall consider minimum sentence, statutory restrictions, victim rights, compensation and other special consequences. (5) The sentencing order may be part of the judgment or separately recorded, but it shall be clearly linked with the judgment.	POCSO Act, 2012 — victim/child-sensitive sentencing and compensation. NDPS Act, 1985 — minimum sentence and special sentencing restrictions.
New Rule.	**Rule 67-B: Compensation, victim compensation and rehabilitation.** (1) In every case resulting in conviction, and in any other case where the Court considers it appropriate, the Court shall consider whether compensation should be awarded to the victim or dependent under Section 395 of the Bharatiya Nagarik Suraksha Sanhita, 2023. (2) Where compensation payable by the accused is inadequate, impossible to realise, or where the victim requires rehabilitation, the Court shall consider recommending compensation under the victim compensation scheme contemplated by Section 396 of the Bharatiya Nagarik Suraksha Sanhita, 2023. (3) In cases involving women victims/survivors of sexual assault or other crimes covered by the Bihar Victim Compensation Scheme, the	Sections 395 and 396, Bharatiya Nagarik Suraksha Sanhita, 2023 — compensation and victim compensation scheme. Bihar Victim Compensation (Amendment) Scheme, 2019 — compensation for women victims/survivors of sexual assault and other crimes, and dependents requiring rehabilitation. Bihar Victim Compensation Scheme materials — interim/final compensation order to be placed on trial Court record. Patna Vulnerable Witness Guidelines —

	Court may direct that necessary information be forwarded to the District Legal Services Authority or State Legal Services Authority. (4) Where interim or final compensation has already been granted by the Legal Services Authority, the Court shall take note of such order while passing judgment or sentence. (5) In cases under POCSO Act, SC/ST Act or any other special law, compensation, rehabilitation, victim rights and protection measures shall be considered in accordance with the special law and applicable schemes. (6) Where the Court declines to recommend victim compensation in a case involving serious injury, sexual offence, death, disability, trafficking, child victim or vulnerable victim, brief reasons may be recorded. (7) Directions relating to compensation or victim compensation shall be communicated to the concerned Legal Services Authority and shall be recorded in the judgment or sentencing order.	victim information, protection and compensation-related safeguards. SC/ST Act, 1989 — rights of victims and witnesses, participation, protection and compensation-related framework. POCSO Act, 2012 — child victim compensation and rehabilitation. Medical Examination of Survivors/Victims of Sexual Violence Handbook — medical, privacy and rehabilitation concerns.
New Rule.	**Rule 67-C: Supply of judgment, sentence order and legal aid information.** (1) A copy of the judgment and, where separately recorded, the sentencing order shall be supplied to the accused free of cost in accordance with law.	Section 404, Bharatiya Nagarik Suraksha Sanhita, 2023 — copy of judgment. Section 530, Bharatiya Nagarik Suraksha Sanhita, 2023 — electronic mode and transmission.

	(2) Where the accused is in custody, the copy shall be supplied through the jail authority or by such electronic or physical mode as may be approved. (3) Where the accused is convicted, the copy supplied shall be accompanied, wherever required, by information regarding availability of free legal aid for appeal or other remedies. (4) The coversheet or intimation regarding legal aid shall contain the contact details of the concerned Legal Services Authority or Legal Aid Committee, as directed by the High Court. (5) Copy of judgment or relevant extract may be supplied to victim, informant or complainant where permitted or required by law, subject to redaction and identity protection. (6) Where the accused is acquitted and is in custody, the release order shall be sent immediately to the jail authority, physically or through electronic mode. (7) A note of supply, refusal, electronic delivery, jail transmission, legal aid intimation and release communication shall be recorded in the order-sheet or judgment record.	Article 39-A, Constitution of India — equal justice and free legal aid. Legal Services Authorities Act, 1987 — legal aid framework. Patna High Court Circular Order No. 02 of 2025 — cover sheet/intimation regarding free legal aid facilities for pursuing higher remedies. Patna Vulnerable Witness Guidelines — redaction and identity protection while supplying records. SC/ST Act, 1989 — victim/informant participation and communication rights.
New Rule.	**Rule 67-D: Death sentence cases and confirmation reference.** (1) Where the Court of Session passes a sentence of death, the proceedings shall be submitted to the High Court for confirmation	Sections 407 to 412, Bharatiya Nagarik Suraksha Sanhita, 2023 — confirmation of death sentence by High

	without delay in accordance with the Bharatiya Nagarik Suraksha Sanhita, 2023. (2) The Court shall ensure that the reference record is complete and includes the judgment, sentencing order, charge, evidence, statement of accused, exhibits, material objects list, electronic/digital evidence details, custody record and all relevant orders. (3) The sentence of death shall not be executed unless confirmed by the High Court. (4) The accused shall be supplied with copy of judgment and sentencing order and informed of availability of legal aid for proceedings before the High Court. (5) Where there has been delay at any stage, the Sessions Judge shall forward an explanation of delay along with the reference record, wherever required by the rules or directions of the High Court. (6) The record, exhibits, material objects, biological samples, forensic material and electronic records shall be preserved securely until final orders of the High Court and further orders, if any. (7) In capital cases involving victims of sexual offences, children, vulnerable witnesses or protected witnesses, records transmitted to the High Court shall preserve identity protection and confidentiality.	Court. Section 393, Bharatiya Nagarik Suraksha Sanhita, 2023 — special reasons for death sentence. Existing Rule 41, Patna Criminal Court Rules — explanation of delay in capital sentence cases. Patna High Court Circular Order No. 02 of 2025 — legal aid information for higher remedies. Patna High Court Circular Order No. 06 of 2025 / *CBI v. Mir Usman @ Ara @ Mir Usman Ali*, 2025 INSC 1155 — expeditious trial and avoidance of delay. Patna Vulnerable Witness Guidelines — confidentiality and identity protection in transmitted records.

New Rule.	**Rule 67-E: Redaction, anonymisation, restricted publication and electronic transmission of judgments.** (1) No judgment, sentencing order, extract, certified copy, public upload or electronic transmission shall disclose the identity of any person whose identity is protected by law or by order of Court. (2) In cases involving sexual offences, POCSO offences, child witnesses, vulnerable witnesses, protected witnesses, witnesses under threat, trafficking victims, persons with disability, mental illness, domestic violence or other sensitive circumstances, the Court shall ensure appropriate redaction or anonymisation before public access or transmission. (3) Protected identity shall include name, parentage, address, school, workplace, shelter home, safe location, phone number, e-mail, photograph, family details or any other particulars likely to identify the person. (4) The Court may maintain two versions of the judgment: (a) an unredacted sealed or restricted-access judicial record; and (b) a redacted public or supply copy. (5) Judgments may be transmitted electronically to jail authorities, High Court, Legal Services Authorities, police/prosecution, regulatory	Patna Vulnerable Witness Guidelines — identity protection, confidentiality, restricted access and redaction. Witness Protection Scheme, 2018 — identity protection and confidentiality of protected witnesses. Section 398, Bharatiya Nagarik Suraksha Sanhita, 2023 — witness protection scheme. Section 404, Bharatiya Nagarik Suraksha Sanhita, 2023 — copy of judgment. Section 530, Bharatiya Nagarik Suraksha Sanhita, 2023 — electronic mode/transmission. Patna High Court Circular Order No. 05 of 2024 — caste/religion and sensitive identity particulars not to be disclosed unless legally necessary. Patna High Court Circular Order No. 02 of 2025 — legal aid intimation while supplying adverse final orders. POCSO Act, 2012 — identity protection of child victims.

	authorities, service authorities or other competent authorities through secure official mode. (6) Where judgment is transmitted to any department or authority for administrative or regulatory action, only the relevant extract or redacted copy shall be sent if full disclosure is unnecessary or may compromise protected identity. (7) Electronic copies shall be linked with the case record/CIS and preserved in accordance with High Court directions. (8) Any breach of redaction, confidentiality or restricted access shall be brought to the notice of the Presiding Officer, District Judge or High Court for appropriate action.	SC/ST Act, 1989 — victim/witness rights and protection.
New Rule.	**Rule 67-F: Structured capital sentencing and mitigation inquiry** **.**(1) Where the accused is convicted for an offence punishable with death, the Court shall not treat the sentencing hearing as a mere formality. (2) Before considering death sentence, the Court shall conduct a meaningful, effective and separate sentencing hearing. (3) The Court shall call for, as far as applicable: (a) report from Probation Officer;	*Manoj v. State of M.P.* — trial courts in capital cases must elicit information from both accused and State; the State should produce material including psychiatric and psychological evaluation, and mitigation material should be collected for proper sentencing. *Sundar @ Sundarrajan v. State by Inspector of Police* — Supreme Court commuted death

	(b) report from jail authorities regarding jail conduct, discipline, behaviour, education, work, reformative activity and post-conviction conduct; (c) psychological and psychiatric evaluation of the convict by trained professionals; (d) social investigation report regarding family background, social milieu, education, employment, economic condition, home life, childhood circumstances, trauma, addiction, mental health and emotional condition; (e) material relating to age, disability, health, prior criminal record, possibility of treatment or training, and capacity to return to normal life in society; (f) material regarding possibility of reformation and rehabilitation; (g) victim impact material where legally permissible; and (h) any other material necessary for individualized sentencing. (4) The prosecution shall place on record aggravating circumstances relied upon for seeking death penalty. (5) The defence shall be given reasonable time and effective opportunity to place mitigating material. (6) Where the accused is unrepresented, unable to collect mitigation material, or is in custody, the Court shall ensure assistance through	sentence after considering sentencing/mitigation issues and reformation concerns. The first and second attachments specifically mention reports from Probation Officer, jail authorities, psychiatrist, psychologist, social/educational/family background and post-conviction conduct.

	legal aid counsel and, where necessary, through Legal Services Authority. (7) Reports obtained for capital sentencing shall be supplied to prosecution and defence, subject to redaction of sensitive third-party material where required. (8) The sentencing order shall record that the above material was called for, supplied, considered and responded to by the parties.	
New Rule.	**Rule 67-G: Time gap, disclosure and effective opportunity before capital sentence.** (1) In every case where death sentence may be considered, the Court shall ordinarily avoid passing sentence immediately after conviction unless the accused has had real and effective opportunity to present mitigating material. (2) After conviction, the Court shall fix a separate date for hearing on sentence and inform prosecution and defence of material required for sentencing. (3) Copies of all reports relied upon for sentencing, including probation report, jail report, psychological/psychiatric report, social investigation report and any other material, shall be supplied to prosecution and defence before sentencing hearing.	*Dashwanth v. State of Tamil Nadu*, 2025 INSC 1203, is relevant because the Supreme Court dealt with a death-sentence case where fair-trial and sentencing-process defects were central. (Sci API) The third attachment notes that documents/DNA report were not furnished, sentencing exercise was treated as a formality and effective defence opportunity was not provided.

	(4) If prosecution relies on DNA report, forensic report, previous conviction, criminal antecedent, victim impact material or any other document for aggravation, copies shall be supplied to accused sufficiently in advance. (5) No document shall be used adversely at sentencing unless the accused has been given inspection/copy and opportunity of response. (6) The order-sheet shall record date of conviction, date fixed for sentencing, reports called for, reports received, copies supplied, objections raised and final sentencing hearing.	
New Rule.	**Rule 67-H: Reasons for imposing death sentence and reformation assessment.** (1) The Court shall not impose death sentence merely because the offence is grave, brutal, heinous, shocking or evokes public outrage. (2) Before imposing death sentence, the Court shall record why the alternative of life imprisonment or any lesser sentence is unquestionably foreclosed. (3) The sentencing order shall separately discuss: (a) aggravating circumstances; (b) mitigating circumstances; (c) possibility of reformation and rehabilitation; (d) psychological/psychiatric material;	*Manoj* requires individualized sentencing and mitigation inquiry before death sentence. *Sundar @ Sundarrajan*emphasizes reformation/rehabilitation assessment and the need to look at the criminal as well as the crime. *Vasanta Sampat Dupare v. Union of India*reopened the sentencing stage under Article 32 due to alleged non-compliance with capital-sentencing safeguards, treating

	(e) jail conduct/post-conviction conduct; (f) family, social, educational and economic background; (g) age, trauma, disability, mental-health or addiction issues, where relevant; (h) whether the State has placed material showing that there is no real possibility of reformation; and (i) why the case falls within the rarest of rare category. (4) The Court shall consider the criminal as well as the crime. (5) Where the Court concludes that the convict is beyond reformation or rehabilitation, reasons shall be based on material and not merely on nature of the offence. (6) If required reports are unavailable, incomplete or not supplied to parties, the Court shall defer sentencing or record exceptional reasons for proceeding.	Articles 14 and 21 as central to fair sentencing.
New Rule.	**Rule 67-I: Fair defence opportunity in serious offences and capital cases.** (1) In serious offences, especially cases punishable with death, life imprisonment, POCSO, sexual offences or cases resting substantially on forensic/circumstantial evidence, the Court shall ensure that the accused has effective legal representation.	The third attachment notes that the Court should not be a silent spectator and must be vigilant where effective defence opportunity is not provided. *Dashwanth*is relevant on fair-trial concerns and effective defence in a death-sentence case. (Sci

	(2) Where defence counsel is appointed shortly before evidence, argument or sentence, the Court shall consider whether adequate time and opportunity have been given. (3) The Court shall not remain a silent spectator where the accused is unable to effectively defend due to lack of counsel, inadequate preparation, non-supply of documents, non-supply of forensic reports or absence of legal aid. (4) Where necessary, the Court shall adjourn for limited purpose, direct supply of documents, appoint legal aid counsel, recall witness where justified, or permit further submissions. (5) In capital cases, the sentencing hearing shall not proceed unless the Court is satisfied that the accused had effective assistance to collect and present mitigation material.	API) Article 39-A and Legal Services Authorities Act, 1987 — legal aid and effective representation.
New Rule.	**Rule 67-J: Post-conviction conduct, prison report and institutional responsibility.** (1) In capital cases, and in any other serious case where sentence may depend on reformation, the Court may call for a report from jail authorities regarding conduct of the convict during custody. (2) Such report may include discipline, work, education, vocational activity, behaviour with inmates/staff, mental-health treatment,	*Manoj* requires prison, probation and psychological/psychiatric material to inform the sentencing exercise. The attachments also refer to jail authorities, trained psychiatrist, psychologist, social background, education level, family circumstances and post-conviction conduct.

	counselling, reformative participation and any incident of violence or misconduct. (3) Jail report shall not be treated as conclusive; parties shall be given opportunity to respond. (4) Where psychological/psychiatric evaluation is necessary, the Court shall direct examination by trained professionals and may seek assistance of Legal Services Authority or State authorities. (5) Courts shall build sentencing record in a manner that enables appellate/revisional/confirmation Court to meaningfully examine sentence.	
New Rule.	**Rule 67-K: Judgment checklist in serious offences and capital cases.** In serious offences, POCSO cases, sexual offences, circumstantial evidence cases, DNA/forensic evidence cases and all cases where death sentence is possible, the judgment shall contain separate discussion, as applicable, on: (a) nature of evidence — direct, circumstantial, scientific or electronic; (b) chain of circumstances — why, where, when, how and who; (c) last-seen evidence and its reliability; (d) confession/disclosure/recovery and admissible portion; (e) TIP/dock identification;	This consolidates the three attachments. *Manoj*, *Sundar*, *Vasanta Sampat Dupare* and *Dashwanth* — capital sentencing, mitigation, reformation and fair procedure. *Kattavellai*, *Karandeep Sharma* and *Dashwanth* — DNA/forensic evidence, expert proof and chain of custody. *Dilaver Hussain* — circumstantial

	(f) DNA/forensic evidence and chain of custody; (g) malkhana and forwarding link; (h) expert evidence and whether expert was examined; (i) child/vulnerable witness caution; (j) documents and reports supplied to accused; (k) fair opportunity to defence; (l) aggravating circumstances; (m) mitigating circumstances; (n) probation, jail, psychiatric/psychological and social-background reports; (o) reformation and rehabilitation possibility; (p) compensation/victim compensation; and (q) reasons for sentence.	chain. *Pradeep* — child witness caution.
New Rule.	**Rule 67-L: Cross-reference to evidence, exhibits and records chapters.** (1) Nothing in this Chapter shall prevent detailed rules being framed in the Chapters relating to evidence, exhibits, material objects, electronic records, DNA/forensic samples, malkhana, FSL forwarding, record preservation and transmission. (2) Where the judgment relies upon DNA/forensic report, electronic record, material object, confession/recovery, child witness, TIP or	This Rule is inserted to ensure that the present Chapter remains confined to **judgment and sentencing**, while the detailed procedural safeguards for DNA samples, forensic exhibits, electronic records, malkhana and FSL forwarding can be inserted later in

	vulnerable witness evidence, the Court shall ensure that the corresponding record, exhibit, certificate, chain-of-custody document and order-sheet entry are traceable from the trial record. (3) The judgment shall not rely on any exhibit, report or material unless it is part of the judicial record or has been lawfully proved/admitted and opportunity has been given to the affected party. (4) In case of inconsistency between appreciation of evidence in judgment and the exhibit/record entries, the Court shall correct the record or record reasons before judgment is signed.	the **Evidence / Exhibits / Records** chapters.
	CHAPTER XI **EXECUTION** **RULES 68 TO 77-F** ***This includes:- defence personnel particulars in warrants; warrant notes and jail communication; detention for failure to furnish security; transmission of records/exhibits to the High Court; legal aid in death/enhancement matters; death warrant safeguards; consecutive/concurrent sentence recalculation; remission/suspension/commutation routing; post-release residence notification; property claims in fine recovery; electronic warrants and jail acknowledgment;custody calculation and over-detention***	

	prevention; fine/compensation execution; preservation/disposal of property and electronic evidence; victim/witness protection at release/remission stage; execution register and digital monitoring.	
Rule 68. In all cases where the accused is a soldier or person holding any rank in the army, the warrant for detention or imprisonment shall set forth accurately the rank of the prisoner, and the Regiment or Military Department to which he belongs.	**Rule 68: Warrant of detention or imprisonment concerning defence personnel.** (1) Where the prisoner is a serving member, reservist, pensioner or person holding rank in the Army, Navy, Air Force, Territorial Army or any other defence service, the warrant of detention, commitment or imprisonment shall accurately state his service particulars, as far as available. (2) Such particulars shall include rank, service number, unit, regiment, ship, squadron, establishment, Record Office, Commanding Officer and service authority, if known. (3) Where complete service particulars are not available, the Court shall record available particulars and may direct the prosecution, police or service authority to furnish the missing particulars. (4) The warrant shall also indicate whether the person is serving, reservist, pensioner, discharged or retired, if such information is available. (5) The warrant and relevant communication may be transmitted physically or through secure official electronic mode.	Existing Rule 68, Chapter XI, Criminal Court Rules of the High Court of Judicature at Patna. Army Act, 1950; Air Force Act, 1950; Navy Act, 1957. BNSS provisions relating to execution of sentences, warrants of commitment/imprisonment and electronic mode. Proposed Rule 66, Chapter X — forwarding judgments/conviction extracts concerning defence personnel. Patna Vulnerable Witness Guidelines / Witness Protection Scheme, 2018 — confidentiality and non-disclosure of protected identity.

	(6) In sensitive cases, no protected victim/witness identity or confidential particulars shall be disclosed in the warrant unless legally necessary.	
Rule 69. Every Magistrate, when committing a prisoner to Jail, shall attach to the warrant of commitment a note in Criminal Process Form No. (M) 64, Volume II. When the prisoner is sentenced by a Court superior to that of a Magistrate, the Chief Judicial Magistrate must arrange that this note be made by a competent officer and attached to the warrant.	**Rule 69: Note and particulars to accompany warrant of commitment.** (1) Every warrant of commitment, detention or imprisonment shall be accompanied by the prescribed note in the relevant Criminal Process Form or its electronic equivalent. (2) The note shall contain, as far as applicable— (a) case number and CNR number; (b) name and identifying particulars of the prisoner; (c) offence and section of law; (d) date of conviction and date of sentence; (e) sentence imposed and nature of imprisonment; (f) fine and default sentence; (g) compensation or victim compensation direction, if any; (h) period of custody already undergone; (i) set-off admissible under the Bharatiya Nagarik Suraksha Sanhita, 2023; (j) whether sentences are concurrent or consecutive; (k) whether the prisoner is required in any other case;	Existing Rule 69, Chapter XI, Patna Criminal Court Rules. BNSS provisions relating to execution of sentence, warrant of commitment/imprisonment and set-off of detention. Section 530, BNSS — electronic mode. Proposed Rules 62-C and 67-C, Chapter X — sentence, set-off, release direction, copy supply and jail communication. Patna Vulnerable Witness Guidelines — redaction and identity protection.

	(l) medical, disability, age, gender or safety information relevant to custody, if known; and (m) any special statutory direction. (3) Where the sentence is passed by a Court superior to that of a Magistrate, the Chief Judicial Magistrate shall ensure that the note is prepared by a competent officer and attached or transmitted with the warrant. (4) The warrant and accompanying note may be transmitted physically or through secure official electronic mode. (5) Acknowledgment of receipt from the jail or authority concerned shall be obtained and preserved in the record. (6) In cases involving children, sexual offences, vulnerable witnesses or protected witnesses, the warrant and note shall avoid disclosure of protected victim/witness identity unless legally necessary.	
Rule 70. Where a Magistrate passes an order to give security under Section 122 Cr.P.C. for a period exceeding one year and security is not given, the person shall be committed to	**Rule 70: Detention for failure to furnish security and orders of superior Court.** (1) Where a Magistrate orders a person to furnish security for keeping peace or good behaviour under the Bharatiya Nagarik Suraksha Sanhita, 2023, and such person fails to furnish security, detention shall be ordered only in accordance with law.	Existing Rule 70, Chapter XI, Patna Criminal Court Rules. BNSS provisions corresponding to Cr.P.C. security proceedings and detention for failure to furnish security. Article 39-A, Constitution of India; Legal Services Authorities Act, 1987. Patna

prison until orders of the superior Court are received. If the superior Court directs detention, the Magistrate shall issue a revised warrant. If the superior Court directs release, the release warrant shall be issued by the superior Court.	(2) Where the period or nature of detention requires confirmation, modification or order of a superior Court, the Magistrate shall immediately forward the record, order and proposed warrant to the superior Court. (3) Until the order of the superior Court is received, the person may be committed only to the extent permitted by law. (4) On receipt of the superior Court's order, the Magistrate shall issue a revised warrant if detention is directed. (5) Where release is directed, the release warrant shall be issued immediately by the Court competent under law and communicated to the jail without delay. (6) The warrant shall clearly mention the security amount, surety requirement, period of security, date of commencement, maximum period of detention and authority under which detention is ordered. (7) Where the person appears unable to furnish security due to poverty, disability, old age, homelessness, mental illness or other vulnerability, legal aid intimation shall be given to the appropriate Legal Services Authority. (8) All references, warrants, revised warrants and release warrants may be transmitted physically or through secure electronic mode, and acknowledgment shall be preserved.	High Court Circular Order No. 02 of 2025 — legal aid intimation for remedies. Section 530, BNSS — electronic mode.

	(9) No person shall remain detained beyond the period authorised by law or by the order of the competent Court.	
Rule 71. When the record of a Sessions case is submitted to the High Court, the Sessions Judge shall call for and forward police diaries if necessary, and forward important material exhibits. Bulky exhibits require High Court instructions. In murder/homicide cases, weapons, garments and articles relied upon for identity should invariably be forwarded. Stolen property recovered and identified should also be forwarded. Exhibits not sent should not be returned/destroyed until	**Rule 71: Transmission of record, case diaries, exhibits and electronic material to the High Court.** (1) When the record of a case tried by the Court of Session is submitted to the High Court in appeal, revision, reference, confirmation or any other proceeding, the Sessions Judge shall ensure that the complete and properly indexed record is transmitted without delay. (2) The record shall include, as far as applicable— (a) order-sheets; (b) charge; (c) evidence; (d) statement of accused; (e) judgment; (f) sentencing order; (g) exhibits list; (h) material objects list; (i) electronic/digital exhibits list; (j) custody and sentence documents; (k) relevant applications and orders; and (l) sealed or restricted records, if any. (3) Case diaries or police diaries connected with the case shall be called for and transmitted where required or directed, subject to law and directions of the High Court. (4) Important material exhibits shall be forwarded where necessary for the hearing before the High Court. (5) In murder, homicide and serious bodily offence cases, weapons, garments, biological articles, forensic samples, and articles relied upon	Existing Rule 71, Chapter XI, Patna Criminal Court Rules. BNSS provisions relating to appeals, revisions, confirmation references, case diaries and execution records. BNSS provisions relating to confirmation of death sentence by High Court. Bharatiya Sakshya Adhiniyam, 2023 — electronic/digital records and certificate for electronic records. Maharashtra eSakshya Management Rules, 2025 — hash value, timestamp, secure storage and electronic evidence management principles. Patna Vulnerable Witness Guidelines — sealed/restricted transmission of sensitive records. Witness Protection Scheme, 2018. NDPS Act, 1985 —

appeal period expires or appeal is decided.	to prove identity of accused or victim shall ordinarily be preserved and forwarded or made available as directed. (6) Stolen, recovered or identified property relied upon by the prosecution shall be preserved and forwarded where necessary. (7) Where any exhibit is bulky, hazardous, perishable, valuable, digital, encrypted, biological, narcotic, sensitive or difficult to transport, instructions of the High Court shall be sought before transmission or disposal. (8) Electronic records shall, as far as available, be transmitted with certificate, hash value, transcript, forensic report, storage details and chain of custody particulars. (9) Records involving sexual offences, children, vulnerable witnesses, protected witnesses, medical privacy or witness protection shall be transmitted in sealed or restricted-access form. (10) Material exhibits not transmitted shall not be returned, destroyed, auctioned, deleted, overwritten or otherwise disposed of until the appeal period expires, or where appeal/revision/reference is filed, until final disposal or further orders. (11) A transmission memo/index shall accompany the record, and acknowledgment from the High Court Registry shall be obtained and preserved.	special handling of narcotic samples/material.

Rule 72. When the record of a case of culpable homicide amounting to murder is submitted to the High Court in connection with Sections 366, 378 and 397 Cr.P.C., the Sessions Judge shall state whether the prisoner has funds to employ a pleader in the High Court. In appeal/revision where notice has been given to show cause why order should not be set aside and death sentence passed, the Trial Court shall state whether the accused has funds to employ a pleader.	**Rule 72: Legal representation and legal aid information in High Court proceedings involving death sentence, serious sentence or enhancement.** (1) In every death sentence confirmation reference, the Sessions Judge shall state whether the condemned prisoner has engaged counsel or requires legal aid for proceedings before the High Court. (2) In every appeal, revision or reference where the accused may face reversal of acquittal, enhancement to death sentence, or serious enhancement of sentence, the Trial Court shall, while returning notice or transmitting record, state whether the accused is represented or requires legal aid. (3) The report shall include, as far as available— (a) custody status; (b) jail where lodged; (c) whether copy of judgment and sentencing order has been supplied; (d) whether the accused can engage private counsel; (e) whether legal aid is required; (f) language, translation, disability or communication needs; and (g) contact details of family member or next friend, where appropriate and available. (4) If the accused appears unable to arrange representation, the Court shall intimate the High Court Legal Services Committee, State Legal Services Authority, District Legal Services Authority or other appropriate legal services institution without delay.	Existing Rule 72, Chapter XI, Patna Criminal Court Rules. BNSS provisions relating to confirmation of death sentence, appeal against acquittal and revision. Article 39-A, Constitution of India; Legal Services Authorities Act, 1987. Patna High Court Circular Order No. 02 of 2025 — legal aid coversheet/intimation for higher remedies. Patna Vulnerable Witness Guidelines / Witness Protection Scheme, 2018 — protected identity and restricted disclosure.

	(5) Legal aid intimation or coversheet shall accompany the copy supplied to the accused, wherever required by directions of the High Court. (6) In capital cases, all communication under this Rule shall be made urgently and by secure physical or electronic mode. (7) The report shall not disclose protected victim/witness identity except where legally necessary.	
Rule 73. The date named by the Sessions Court in its warrant for execution of a sentence of death shall not be less than twenty-one nor more than twenty-eight days from the date of issue of such warrant.	**Rule 73: Warrant for execution of sentence of death and safeguards before fixing execution date.** (1) No warrant for execution of sentence of death shall be issued unless the sentence has been confirmed by the High Court and execution is permissible in law. (2) Before issuing the warrant, the Court shall verify, as far as information is available, whether any appeal, review, curative petition, mercy petition, stay order or other proceeding affecting execution is pending. (3) The condemned prisoner shall be given notice and opportunity in the warrant proceedings, either physically or through audio-video electronic means, and legal aid shall be provided where required. (4) The Court shall ensure that the prisoner has been informed of available legal remedies and legal aid.	Existing Rule 73, Chapter XI, Patna Criminal Court Rules. BNSS provisions relating to confirmation and execution of death sentence. Article 21, Constitution of India. *Shatrughan Chauhan v. Union of India* — safeguards after rejection of mercy petition, communication, legal aid and minimum time before execution. *Shabnam v. Union of India* — death warrant safeguards and prohibition of hurried execution process. Patna High Court Circular

	(5) Copy of the warrant shall be supplied to the prisoner, jail authority and appropriate legal services authority. (6) Family member or next friend shall be informed where required by law, jail rules or binding directions. (7) The date fixed for execution shall ordinarily not be less than twenty-one days and not more than twenty-eight days from the date of issue of warrant, unless otherwise directed by the High Court, Supreme Court or required by law. (8) The warrant shall be transmitted securely to the jail authority and acknowledgment shall be obtained. (9) If execution is stayed, postponed or rendered impermissible due to any legal proceeding or order, immediate communication shall be issued to the jail authority and concerned authorities. (10) Constitutional safeguards and Supreme Court directions governing execution of death sentence shall be followed in every case.	Order No. 02 of 2025 — legal aid information for higher remedies.
Rule 74. When a prisoner has been committed to jail under two separate warrants, and one sentence is to take effect from expiry of the other, the second sentence	**Rule 74: Consecutive sentences, concurrent sentences and recalculation after appellate or remission orders.** (1) Where a prisoner is committed to jail under two or more warrants, each warrant shall clearly state whether the sentence is to run concurrently or consecutively.	Existing Rule 74, Chapter XI, Patna Criminal Court Rules. BNSS provisions relating to execution of sentences of imprisonment, concurrent/consecutive sentences, set-off, suspension, remission and

shall, if the first sentence is remitted on appeal, be presumed to take effect from the date on which he was committed to jail under the first/original sentence.	(2) Where a sentence is to commence after expiry of another sentence, the warrant shall identify the earlier case, Court, date of sentence and warrant. (3) Where the earlier sentence is set aside, remitted, suspended, commuted, reduced, modified or ordered to run concurrently by appellate, revisional or competent authority, the Court concerned shall issue a revised warrant, release order or clarification without delay. (4) Unless otherwise directed by the appellate, revisional or competent authority, where the earlier sentence is remitted or set aside and the later sentence was to begin after that sentence, the later sentence may be treated as commencing from the date on which the prisoner was committed to jail under the first/original warrant, subject to law. (5) Set-off of detention undergone shall be applied in accordance with BNSS and the order of the Court. (6) Where jail authority finds ambiguity in commencement, concurrency, set-off, remission, appellate modification or release date, it shall immediately seek clarification from the issuing Court through the Superintendent of Jail, Chief Judicial Magistrate or Sessions Judge. (7) All revised warrants, release orders and clarifications may be transmitted by secure physical or electronic mode, and acknowledgment shall be preserved.	commutation. Section 468, BNSS — set-off of detention undergone. Section 530, BNSS — electronic mode.

Rule 75. All recommendations for remission or suspension of a sentence made under Section 432 Cr.P.C. by an officer of any subordinate Court to the State Government, in regard to a convict whose case has been before the High Court on appeal, shall be made through the High Court.	**Rule 75: Recommendations and opinions regarding suspension, remission, commutation or premature release.** (1) Where any recommendation or opinion regarding suspension, remission, commutation or premature release of sentence is made by any officer of a subordinate Court in a case which has been before the High Court in appeal, revision, reference or confirmation, such recommendation or opinion shall be routed through the High Court. (2) No recommendation shall be sent directly to the State Government in such cases unless permitted by law or directed by the High Court. (3) The recommendation or opinion shall be accompanied, as far as applicable, by— (a) judgment of Trial Court; (b) appellate, revisional or confirmation order; (c) sentence details; (d) custody period undergone; (e) jail conduct report, if available; (f) remission already earned; (g) victim or State response, where required; and (h) special statute implications, if any. (4) Where the Government seeks opinion of the Presiding Judge or Court, the opinion shall be reasoned and based on the record. (5) In sensitive cases, the Court shall consider victim safety, witness protection, nature of offence and statutory restrictions. (6) Communications may be transmitted physically or through secure official electronic mode.	Existing Rule 75, Chapter XI, Patna Criminal Court Rules. BNSS provisions corresponding to Cr.P.C. Sections 432–435 relating to suspension, remission and commutation of sentences. Supreme Court jurisprudence requiring meaningful, record-based judicial opinion in remission/premature release matters. Witness Protection Scheme, 2018 and Section 398 BNSS — victim/witness safety considerations. SC/ST Act, 1989; POCSO Act, 2012; NDPS Act, 1985 — special statute restrictions/considerations where applicable.

	(7) Protected victim/witness identity shall not be disclosed unnecessarily in remission/suspension/commutation communications.	
Rule 76. In the case of a convict against whom an order is passed under Section 356 Cr.P.C., a copy of the order passed under that section should be attached by the convicting Court to the warrant referred to in Section 418 Cr.P.C.	**Rule 76: Attachment and communication of order requiring notification of residence.** (1) Where a convict is directed under BNSS or any other law to notify residence or change of residence after release, a copy of such order shall be attached to the warrant of commitment or imprisonment. (2) The warrant shall clearly mention the existence, duration and terms of the residence-notification order. (3) A copy shall be supplied to the convict and explained in a language understood by him. (4) A copy or intimation shall be sent to the jail authority and to the police station or authority concerned with the place of intended residence, where required. (5) If the convict is transferred from one jail to another, the order shall accompany the transfer papers. (6) On release, the jail authority shall communicate release and intended residence to the authority specified in the order. (7) In sensitive cases, no protected victim/witness address, location or identity shall be disclosed in such communication unless legally necessary.	Existing Rule 76, Chapter XI, Patna Criminal Court Rules. BNSS provision corresponding to Cr.P.C. Section 356 — order requiring notification of address/residence of previously convicted offender. BNSS provisions relating to warrant of execution/imprisonment. Section 530, BNSS — electronic mode. Witness Protection Scheme, 2018 / Patna Vulnerable Witness Guidelines — non-disclosure of protected identity and safety-sensitive communication.

	(8) Communication may be physical or through secure electronic mode, and acknowledgment shall be preserved.	
Rule 77. If in any case a claim is made to property attached under Section 421(1)(a) Cr.P.C., ownership of such property must be determined by the Magistrate who issued the warrant, his successor, or the Magistrate in charge of accounts.	**Rule 77: Claims to property attached for recovery of fine, compensation or other recoverable amount.** (1) Where any claim is made to property attached under BNSS for recovery of fine or any amount recoverable as fine, the claim shall be determined by the Magistrate who issued the warrant, his successor, or the Magistrate authorised or in charge of accounts. (2) The claimant shall file a written claim with supporting documents. (3) Notice shall be given to the convict, prosecution/State and any other person appearing to have an interest in the property. (4) The Magistrate shall give opportunity of hearing and may take evidence or call for documents. (5) The Magistrate shall determine whether the property belongs to the convict or whether any attachable interest of the convict exists. (6) If the claim is allowed, attachment shall be lifted wholly or partly. (7) If the claim is rejected, recovery may proceed according to law. (8) In case of perishable property, depreciating property, vehicle, livestock or property requiring maintenance, the Court may pass preservation, interim custody or sale orders subject to law.	Existing Rule 77, Chapter XI, Patna Criminal Court Rules. BNSS provision corresponding to Cr.P.C. Section 421 — levy of fine by attachment and sale of movable property. BNSS provisions on compensation and recovery of amounts recoverable as fine. Sections 395 and 396, BNSS — compensation and victim compensation scheme. NDPS Act, 1985 and other special laws relating to confiscation/forfeiture/disposal of property.

	(9) In case of bank accounts, securities, digital assets or records of title, the Court may seek information from the concerned authority. (10) This Rule shall be subject to special laws governing confiscation, forfeiture, disposal, victim compensation or proceeds of crime. (11) All orders shall be recorded and communicated to the executing authority. (12) Electronic transmission and record maintenance may be used.	
New Rule.	**Rule 77-A: Electronic warrants, release orders and jail acknowledgment.** (1) Warrants of commitment, imprisonment, detention, release, fine recovery, attachment, revised warrants and other execution processes may be issued and transmitted through secure electronic mode where approved by the High Court. (2) Every electronic warrant or release order shall be digitally signed or otherwise authenticated in the manner approved by the High Court. (3) The issuing Court shall verify that the warrant or release order contains complete particulars of the case, prisoner, sentence, custody period, set-off, fine, compensation, default sentence, concurrent/consecutive direction and special instructions, if any. (4) Jail authorities shall acknowledge receipt of every warrant, revised warrant or release order, physically or electronically.	Section 530, BNSS — electronic mode. BNSS execution provisions relating to warrants, imprisonment, release, fine recovery and communication with jail. Information Technology Act, 2000 — electronic records and authentication. Proposed Rules 69, 74 and 77-F — warrant particulars, sentence recalculation and execution register. Patna High Court Circular Order No. 06 of 2025 / *CBI v. Mir Usman @ Ara @ Mir Usman Ali* — expedition and avoidance of avoidable delay.

	(5) Any defect, ambiguity or discrepancy noticed by the jail authority shall be immediately brought to the notice of the issuing Court for correction or clarification. (6) Release orders after bail, acquittal, suspension of sentence, sentence undergone, remission, commutation or appellate modification shall be transmitted without delay. (7) The Court shall preserve proof of transmission and acknowledgment in the physical or electronic record.	
New Rule.	**Rule 77-B: Custody calculation, set-off and release verification.** (1) In every case of conviction and sentence of imprisonment, the Court shall ensure that the warrant and accompanying note clearly mention the period of custody undergone and set-off admissible under BNSS. (2) Where there are multiple sentences, the warrant shall clearly indicate whether sentences are concurrent or consecutive. (3) Where fine and default sentence are imposed, the warrant shall indicate whether fine has been paid, whether default sentence is to operate, and the period of default sentence. (4) Where sentence is modified, suspended, remitted, commuted or set aside by appellate, revisional or competent authority, the revised calculation shall be communicated to jail without delay.	Section 468, BNSS — set-off of detention undergone. BNSS execution provisions relating to imprisonment, fine, default sentence, suspension, remission and commutation. Existing Rule 74, Patna Criminal Court Rules. Article 21, Constitution of India — protection against unlawful/over-detention.

	(5) Before release on completion of sentence, jail authorities may seek clarification from the Court where there is any doubt regarding set-off, concurrency, default sentence, remission, commutation, or another pending case. (6) The Chief Judicial Magistrate and Sessions Judge may periodically review cases of prisoners where sentence calculation or release date requires clarification. (7) No prisoner shall remain in custody after lawful release date due to clerical error, non-communication or incomplete warrant particulars.	
New Rule.	**Rule 77-C: Execution of fine, compensation and victim compensation orders.** (1) Where fine, compensation or any amount recoverable as fine is imposed, the Court shall issue appropriate process for recovery in accordance with law. (2) The warrant or recovery process shall clearly indicate the amount of fine, compensation, costs, default sentence and person to whom compensation is payable. (3) Amount recovered towards compensation shall be disbursed to the victim, dependent or person entitled, subject to law and orders of the Court.	BNSS provisions relating to levy of fine, compensation and amounts recoverable as fine. Sections 395 and 396, BNSS — compensation and victim compensation scheme. Bihar Victim Compensation (Amendment) Scheme, 2019. Bihar Victim Compensation Scheme materials — interim/final compensation order to be placed on trial Court record. SC/ST Act, 1989; POCSO Act, 2012 —

	(4) Where compensation is ordered or recommended under BNSS or any victim compensation scheme, the order shall be communicated to the District Legal Services Authority or State Legal Services Authority, as applicable. (5) The Court shall maintain an account of amounts realised, disbursed, pending recovery and default sentence executed. (6) In cases under special statutes, recovery, forfeiture, confiscation, compensation and disbursement shall be governed by the special law, subject to orders of the Court. (7) Where the victim is a child, sexual offence victim, vulnerable victim or protected person, disbursement and communication shall protect identity and confidentiality.	victim compensation/protection framework.
New Rule.	**Rule 77-D: Preservation, disposal and transmission of property, material objects and electronic records after judgment.** (1) After judgment, the Court shall pass appropriate orders regarding preservation, transmission, return, confiscation, destruction, auction, disposal or continued custody of property, material objects, documents, biological samples and electronic records in accordance with law. (2) No material exhibit shall be returned, destroyed, auctioned, deleted, overwritten or disposed of until the period for appeal expires, or where appeal/revision/reference is filed, until final disposal or further orders.	Existing Rule 71, Patna Criminal Court Rules — preservation/forwarding of material exhibits pending appeal. BNSS provisions relating to disposal of property, execution records and appellate record transmission. Bharatiya Sakshya Adhiniyam, 2023 — electronic/digital records. Maharashtra eSakshya Management

	(3) Electronic and digital records shall be preserved with necessary identifiers, including exhibit number, storage medium, hash value, certificate, forensic report, transcript and chain of custody details, as available. (4) Sensitive electronic records, including sexual offence material, child-related material, private images, medical records, protected witness recordings or sealed statements, shall be stored and disposed of only under specific orders and with restricted access. (5) Narcotics, arms, explosives, currency, vehicles, biological samples, perishable property and hazardous articles shall be dealt with according to the special law or High Court directions applicable to such property. (6) Where property is required by the High Court, the Court shall transmit it or preserve it as directed. (7) A property/material object/electronic exhibit disposal register shall be maintained physically or electronically.	Rules, 2025 — hash value, secure storage and electronic evidence management principles. NDPS Act, 1985 — disposal/confiscation/special handling of narcotic substances. Patna Vulnerable Witness Guidelines — restricted handling of sensitive records.
New Rule.	**Rule 77-E: Victim and witness protection communication in release, suspension, remission or commutation matters.** (1) In cases involving serious offences, sexual offences, child victims, SC/ST Act victims, vulnerable witnesses, protected witnesses or witnesses under threat, the Court shall ensure that release, suspension	Section 398, BNSS — witness protection scheme. Witness Protection Scheme, 2018. Patna Vulnerable Witness Guidelines — protected identity, victim/witness safety and confidentiality. SC/ST Act, 1989 —

	of sentence, remission, commutation or other execution-stage communication does not compromise victim or witness safety. (2) Where any witness protection order, victim protection direction, no-contact condition or confidentiality order exists, the same shall be brought to the notice of the competent authority dealing with release, remission, commutation, parole or furlough, subject to law. (3) Protected victim/witness address, safe location, contact details or identity shall not be disclosed in public communication. (4) Where required by law, scheme, policy or Court order, information regarding release or material change in custody status may be communicated to the victim, informant, complainant or protection authority in a safe and confidential manner. (5) Where threat is disclosed after release or proposed release, the matter may be referred to the competent authority under the Witness Protection Scheme or any scheme notified under BNSS.	rights of victims and witnesses. POCSO Act, 2012 — child victim protection.
New Rule.	**Rule 77-F: Execution register and monitoring of warrants, custody and release.** (1) Every Court issuing warrants of commitment, imprisonment, detention, fine recovery, attachment, release or revised warrants shall maintain an Execution Register, physically or electronically.	BNSS provisions relating to execution of sentences, warrants, imprisonment, fine recovery, release, remission and commutation. Section 530, BNSS — electronic mode. Existing Rules 69, 74 and 77, Patna Criminal Court Rules.

	(2) The register shall contain, as far as applicable— (a) case number and CNR number; (b) name of prisoner/convict; (c) offence and sentence; (d) date of conviction and sentence; (e) date of warrant; (f) date and mode of transmission to jail or executing authority; (g) acknowledgment of receipt; (h) custody period and set-off; (i) fine, compensation and recovery status; (j) concurrent/consecutive sentence details; (k) appeal, suspension, remission, commutation or modification details; (l) revised warrant or clarification, if any; (m) release order and date of release communication; and (n) final compliance. (3) The Chief Judicial Magistrate and Sessions Judge may periodically review the register to detect non-communication, over-detention, non-execution of release orders, pending fine/compensation recovery and unresolved warrant defects. (4) Delay or discrepancy in execution shall be brought to the notice of the Presiding Officer and, where necessary, the District Judge. (5) Digital registers may be integrated with CIS, e-Courts, e-Prisons or other approved platforms, subject to High Court directions. (6) Records involving protected victims/witnesses shall be maintained with restricted access.	Article 21, Constitution of India — protection against unlawful detention. Patna High Court Circular Order No. 06 of 2025 / *CBI v. Mir Usman @ Ara @ Mir Usman Ali* — expedition and administrative discipline.
	CHAPTER XII **APPEALS**	

	RULES 78 TO 88-F ***This covers :- appeals presented from jail; legal aid for jail appeals and serious appeals; calling for lower Court records; appellate bail/suspension of sentence; inability to furnish appellate bail; communication of appeal result to prisoner; release/fresh/revised warrants after appeal; surrender and re-commitment where appellant was on bail; certification of High Court orders to lower Court; appellate sentence computation; victim/informant/complainant appeal rights; vulnerable witness and protected record safeguards; additional evidence in appeal; digital/electronic appellate records; appeal record and exhibit preservation; priority monitoring of custody and special statute appeals; appeal register and digital tracking.***	
Rule 78. When a Court of Sessions realizes a fine imposed by it on an accused person, it shall prepare the usual warrant for the realization of the fine, and shall forward it to the Chief Judicial Magistrate concerned with an endorsement that the fine has been realized.	**Rule 78: Realisation of fine, compensation and transmission of recovery information by Court of Session.** (1) Where a Court of Session realizes any fine imposed by it, it shall prepare the prescribed warrant or recovery memorandum and forward the same to the Chief Judicial Magistrate concerned with an endorsement that the fine has been realized. (2) Where the sentence includes compensation, victim compensation, costs or any amount recoverable as fine, the Court shall separately indicate the amount realized, the amount remaining due, the person entitled to receive the amount and the mode of disbursement. (3) Where the fine or compensation is modified, reduced, enhanced, stayed or set aside in appeal, the appellate order shall be promptly	Existing Rule 78, Chapter XII extract, Patna Criminal Court Rules. BNSS Chapter XXXIV — execution, levy of fine and amounts recoverable as fine. Sections 395 and 396, Bharatiya Nagarik Suraksha Sanhita, 2023 — compensation and victim compensation scheme. Section 530, Bharatiya Nagarik Suraksha Sanhita, 2023 — electronic mode. Bihar Victim Compensation Scheme / Bihar Victim Compensation (Amendment) Scheme,

	communicated to the executing Court, Chief Judicial Magistrate, jail authority and accounts section, as necessary. (4) If the accused is in custody in default of payment of fine, the communication shall clearly state whether the default sentence has commenced, has been set aside, or requires recalculation after appellate order. (5) Realisation, refund, adjustment, disbursement and default sentence status shall be entered in the fine/compensation register or electronic case record. (6) Where the payee is a victim, child, sexual offence victim, vulnerable victim, protected witness or person whose identity is protected, disbursement records and communications shall protect identity and confidentiality. (7) Transmission may be made physically or through secure official electronic mode, with acknowledgement preserved.	2019. Patna Vulnerable Witness Guidelines — identity protection and restricted disclosure in victim-related records.
Rule 79. Petitions of appeal against the sentence or orders of Sessions Judges, presented to officers in charge of jails, shall be forwarded by such officers	**Rule 79: Appeals presented by prisoners in jail against judgments, sentences or orders of Sessions Courts.** (1) Where a prisoner confined in jail presents a petition of appeal against any judgment, sentence or order of a Sessions Judge, Additional Sessions Judge or any Court whose appeal lies to the High Court, the officer in charge of the jail shall forward the appeal petition and	Existing Rule 79, Chapter XII, Patna Criminal Court Rules. Sections 423 and 424, Bharatiya Nagarik Suraksha Sanhita, 2023 — petition of appeal and procedure when appellant is in jail. Section 424 permits a jailed appellant

direct to the Registrar of the High Court. Intimation shall be given to the Judge whose sentence or order is appealed against by sending him a copy of the letter in Form No. (M) 18, Vol. II. **Note.** Sessions Judges need not send the records of such cases to the High Court until requested upon admission of appeal.	accompanying copies directly to the Registrar of the High Court or such officer as may be notified. (2) The jail authority shall forward the appeal without delay and, as far as practicable, through both physical and secure electronic mode, where such facility is available. (3) A copy of the forwarding letter shall simultaneously be sent to the Court whose judgment, sentence or order is appealed against, and to the District and Sessions Judge, where necessary. (4) The forwarding letter shall mention the prisoner's name, case number, CNR number, jail admission number, offence, sentence, date of judgment, date of sentence, date on which copy of judgment was supplied, date on which appeal was presented in jail, and whether legal aid is required. (5) Where the prisoner is unable to prepare the appeal due to illiteracy, disability, language barrier, mental illness, poverty or other vulnerability, the jail authority shall immediately inform the appropriate Legal Services Authority for assistance. (6) Where the appeal relates to a death sentence, life imprisonment, sexual offence, POCSO offence, SC/ST Act offence, NDPS offence, or any serious offence requiring urgent attention, the appeal shall be marked urgent.	to present the petition and copies to the jail officer, who shall forward them to the proper appellate Court. Sections 413 and 415, Bharatiya Nagarik Suraksha Sanhita, 2023 — appeal lies only as provided by law and appeals from convictions. Article 39-A, Constitution of India; Legal Services Authorities Act, 1987. Patna High Court Circular Order No. 02 of 2025 — free legal aid information for pursuing higher remedies. Section 530, Bharatiya Nagarik Suraksha Sanhita, 2023 — electronic mode. Patna Vulnerable Witness Guidelines / Witness Protection Scheme, 2018 — protection of identity in transmitted records.

	(7) Records of such cases need not be transmitted by the Sessions Court until requisitioned by the High Court upon admission or direction, unless otherwise ordered. (8) Acknowledgement of receipt of the appeal by the High Court Registry shall, where available, be preserved by the jail authority and communicated to the prisoner. (9) In sensitive cases, the appeal papers and forwarding communications shall not disclose protected victim or witness identity except where legally necessary.	
Rule 80. In appeals preferred to the Court of Sessions by persons convicted by a Magistrate, the letter intimating the date fixed for hearing and calling for the records of the case should be sent in Form (M) 14, Vol. II by the Sessions Judge to the trying Magistrate, and in his absence to the Magistrate in charge or successor-in-	**Rule 80: Notice of appeal hearing and calling for records in appeals before Court of Session.** (1) In every appeal preferred to the Court of Session from a conviction, sentence or appealable order passed by a Magistrate, the Sessions Judge or appellate Court shall issue notice of the date fixed for hearing and call for the record of the case from the trying Magistrate or successor Court in the prescribed form or electronic equivalent. (2) A copy of such communication shall be sent to the Chief Judicial Magistrate and, where necessary, to the District Magistrate, prosecution office, jail authority or any other authority concerned. (3) The record called for shall include the order-sheets, complaint/FIR/police report, charge or accusation, evidence, statement	Existing Rule 80, Chapter XII, Patna Criminal Court Rules. Section 422, Bharatiya Nagarik Suraksha Sanhita, 2023 — appeal to Court of Session how heard. Section 426, Bharatiya Nagarik Suraksha Sanhita, 2023 — notice of hearing and sending for record; complete record need not be called where appeal is only as to sentence extent/legality. Section 530, Bharatiya Nagarik Suraksha Sanhita, 2023 — electronic mode. Patna High

office, with copy to the District Magistrate and Chief Judicial Magistrate.	of accused, judgment, sentence order, exhibits list, material objects list, electronic/digital exhibits list, bail bonds and custody records, as applicable. (4) Where the appeal is only as to the extent or legality of sentence and the appellate Court considers that calling for the complete record is unnecessary, the Court may act in accordance with BNSS, after ensuring that sufficient material is available. (5) The lower Court shall transmit the record without delay, properly indexed and paginated, and shall indicate whether any material object, electronic record, sealed record, vulnerable witness record or compensation order forms part of the case. (6) Where any record contains protected identity, sexual offence material, POCSO record, vulnerable witness material or witness protection order, the same shall be transmitted in sealed or restricted-access form. (7) Transmission and acknowledgement may be physical or through secure electronic mode as approved by the High Court. (8) The appellate Court shall monitor non-receipt or delay in receipt of record and may call for explanation where the delay affects hearing of appeal or liberty of the appellant.	Court Circular Order No. 06 of 2025 / *CBI v. Mir Usman @ Ara @ Mir Usman Ali*, 2025 INSC 1155 — expeditious trial/proceedings and avoidance of unnecessary delay. Patna Vulnerable Witness Guidelines and Witness Protection Scheme, 2018 — sealed/restricted transmission of sensitive records.

Rule 81. When an appellate Court or Court of Revision directs release of a prisoner on bail pending appeal or revision, such Court shall send the warrant for release on bail to the Court which passed the order under appeal or revision. If the Presiding Officer is absent, successor or officer-in-charge shall comply. Bail orders may lay down amount, number and nature of sureties. If the person is unable to furnish bail, the receiving Court shall return the warrant to appellate/revisional Court with endorsement that	**Rule 81: Release on bail pending appeal or revision and communication of bail order.** (1) Where an appellate Court or Court of Revision directs release of a prisoner on bail, own bond or bail bond pending appeal or revision, the release order or warrant shall be transmitted without delay to the Court whose order is under appeal or revision, and to the jail authority where the prisoner is confined. (2) If the Presiding Officer of the concerned Court is not available, the successor-in-office or officer-in-charge of that Court shall comply with the order without delay. (3) The bail order shall clearly state the amount of bond, number and nature of sureties, conditions of bail, duration of bail, next date or appellate Court details, and whether any special condition relating to victim/witness protection, non-contact, travel, address or surrender is imposed. (4) In cases where the conviction is for an offence punishable with death, imprisonment for life, or imprisonment for a term of not less than ten years, the appellate Court shall record compliance with the statutory requirement of giving the Public Prosecutor opportunity to show cause against release, wherever applicable.	Existing Rule 81, Chapter XII, Patna Criminal Court Rules. Section 430, Bharatiya Nagarik Suraksha Sanhita, 2023 — suspension of sentence pending appeal and release on bail; Public Prosecutor opportunity in cases punishable with death, life imprisonment or imprisonment for not less than ten years. Section 438, Bharatiya Nagarik Suraksha Sanhita, 2023 — revisional Court may suspend execution and release accused on bond/bail bond pending examination of record. Article 39-A, Constitution of India; Legal Services Authorities Act, 1987. Patna High Court Circular Order No. 02 of 2025 — legal aid information. Section 398 BNSS / Witness Protection Scheme, 2018 / Patna Vulnerable Witness Guidelines

prisoner is unable to furnish bail.	(5) Where the prisoner is unable to furnish bail or surety, the receiving Court shall forthwith return or report the release warrant/order to the appellate/revisional Court with an endorsement specifying the reason for non-release. (6) Where inability to furnish bail appears to arise from poverty or vulnerability, the Court receiving the warrant shall inform the Legal Services Authority for assistance, without altering the appellate order. (7) Release on bail shall not be delayed due to absence of Presiding Officer, clerical defect, non-receipt of physical copy where authenticated electronic order is available, or avoidable administrative lapse. (8) In cases involving sexual offences, POCSO, SC/ST Act, vulnerable witnesses or witness protection, the release communication shall include necessary protection/non-contact conditions without disclosing protected victim/witness location or identity. (9) Transmission may be physical or through secure electronic mode, and acknowledgement from jail shall be preserved.	— witness protection and safe communication.
Rule 82. When an appeal has been disposed of, a copy of the judgment in appeal and of the order passed shall be	**Rule 82: Forwarding of appellate judgment and order to original Court and concerned authorities.** (1) When an appeal is disposed of, a copy of the appellate judgment and final order shall be forwarded without delay to the original Court.	Existing Rule 82, Chapter XII, Patna Criminal Court Rules. Section 429, Bharatiya Nagarik Suraksha Sanhita, 2023 — High Court order on appeal to

forwarded to the Original Court.	(2) Where the appeal results in reversal, acquittal, discharge, modification of conviction, modification of sentence, retrial, remand, enhancement, compensation direction, suspension order or any other consequential direction, the appellate Court shall also communicate the order to the jail authority, Chief Judicial Magistrate, Sessions Judge, prosecution office, Legal Services Authority, or any other authority concerned, as may be necessary. (3) The original Court shall make necessary entries in the trial record, register, warrant record, property/exhibit register, fine/compensation register and CIS/electronic record. (4) Where appellate judgment contains directions regarding release, surrender, re-commitment, fresh warrant, retrial, compensation, disposal of property or electronic evidence, the original Court shall act immediately and report compliance where required. (5) Where appellate judgment concerns sexual offences, child victims, vulnerable witnesses, protected witnesses or identity-protected persons, the copy forwarded shall be redacted or sealed as appropriate. (6) Transmission may be physical or through secure electronic mode, and acknowledgement shall be preserved.	be certified to lower Court; lower Court to make conformable orders and amend record if necessary. Section 428, Bharatiya Nagarik Suraksha Sanhita, 2023 — judgments of subordinate appellate Court. Section 530, Bharatiya Nagarik Suraksha Sanhita, 2023 — electronic mode. Patna Vulnerable Witness Guidelines / Witness Protection Scheme, 2018 — redaction and confidentiality.
Rule 83. (a) Where sentence is reversed, appellate Court	**Rule 83: Release warrant, fresh warrant, cancellation of original warrant and retrial communication after appellate order.**	Existing Rule 83, Chapter XII, Patna Criminal Court Rules. Section 427,

shall issue warrant of release on appeal directly to jail. (b) Where sentence is modified, appellate Court shall prepare fresh warrant in Form (M) 75 and send it directly to jail; after execution, warrant shall be forwarded to original Court. (c) Appellate Court shall recall and cancel original warrant of commitment and attach original/release/fresh warrants to original record. (d) Where conviction and sentence are set aside and retrial ordered, Court shall communicate order to jail authorities for action.	(1) Where an appellate Court reverses the conviction and sentence of an appellant in custody and directs release, it shall issue the prescribed release warrant or authenticated release order directly to the officer in charge of the jail where the appellant is confined, with copy to the original Court. (2) Where the appellate Court modifies the sentence, it shall prepare a fresh warrant or authenticated modified sentence order in the prescribed form, specifying the modified conviction, sentence, fine, compensation, set-off, concurrent/consecutive direction and custody calculation, and shall send it directly to the jail authority and original Court. (3) Where the appellate Court modifies conviction section, punishment section, sentence, fine, compensation, default sentence or any consequential direction, the fresh warrant shall clearly supersede the original warrant to the extent of modification. (4) Where release warrant or fresh warrant is issued, the appellate Court shall simultaneously recall and cancel the original warrant of commitment, unless otherwise directed by law or the appellate order. (5) The original warrant, fresh warrant and release warrant, after endorsement of execution, shall be attached to the original record and digitally linked with the case record.	Bharatiya Nagarik Suraksha Sanhita, 2023 — appellate Court's powers to reverse, acquit, discharge, order retrial, alter finding, alter sentence and pass consequential orders. Section 429, Bharatiya Nagarik Suraksha Sanhita, 2023 — appellate order to be certified to lower Court; conformable orders and amendment of record. BNSS execution provisions relating to release/fresh warrants and sentence execution. Section 530 BNSS — electronic mode. Proposed Chapter XI Rules 77-A and 77-B — electronic warrants and custody calculation.

	(6) Where conviction and sentence are set aside and retrial is ordered, the appellate Court shall communicate its order to the jail authority, original Court, prosecution and accused/advocate for necessary action, including custody/bail consideration according to law. (7) Where the appellant is required in another case, the release communication shall clearly state that release is subject to any other lawful detention. (8) Communication may be through secure physical or electronic mode and shall be acknowledged by jail or executing authority. (9) In cases involving vulnerable witnesses or protected victims, the fresh/release warrant shall not disclose protected identity or sensitive particulars.	
Rule 84. Judicial Officers are prohibited from sending by telegraph orders to officers in charge of jails for release of prisoners in their custody.	**Rule 84: Transmission of release orders to jail authorities by authenticated mode.** (1) No release order, bail order, suspension order, modified warrant or appellate order affecting custody shall be acted upon unless it is authenticated in the manner prescribed by law, rules or High Court directions. (2) The earlier prohibition on telegraphic release orders shall continue to the extent that no informal, unauthenticated, private or unverified communication shall be treated as a release order.	Existing Rule 84, Chapter XII, Patna Criminal Court Rules. Section 530, Bharatiya Nagarik Suraksha Sanhita, 2023 — electronic mode of proceedings. Information Technology Act, 2000 — electronic records and authentication. BNSS provisions relating to suspension of sentence, release, warrants and execution.

	(3) Release orders may be transmitted through secure official electronic mode, digitally signed communication, e-Courts/CIS/e-Prisons integration, official e-mail or any other mode approved by the High Court. (4) The jail authority shall verify authenticity of the order, acknowledge receipt and, where doubt exists, immediately seek confirmation from the issuing Court without delaying release after verification. (5) Where authenticated electronic order is received, insistence on physical copy shall not cause avoidable delay, subject to High Court/jail verification protocol. (6) A record of transmission, verification, acknowledgment and execution shall be preserved by the issuing Court and jail authority. (7) Any attempted release on unauthenticated communication shall be reported immediately to the District Judge and appropriate administrative authority.	Proposed Chapter XI Rule 77-A — electronic warrants, release orders and jail acknowledgment.
Rule 85. Irrespective of Rule 83, the appellate Court shall, for information of the appellant, notify to the officer in charge of the jail in which such appellant is	**Rule 85: Intimation of result of appeal to appellant in custody.** (1) Irrespective of issuance of release warrant, fresh warrant or other consequential process, the appellate Court shall notify the officer in charge of the jail regarding the result of the appeal for communication to the appellant in custody.	Existing Rule 85, Chapter XII, Patna Criminal Court Rules. Section 404, Bharatiya Nagarik Suraksha Sanhita, 2023 — copy of judgment to accused and other persons. Sections 427 to 430, Bharatiya Nagarik Suraksha Sanhita,

confined the result of his appeal in Form (M) 17, Vol. II.	(2) The notification shall be in the prescribed form or electronic equivalent and shall clearly state whether the appeal has been allowed, dismissed, partly allowed, conviction modified, sentence modified, retrial ordered, release directed, surrender required, fine/compensation modified, or any other consequential direction passed. (3) The jail authority shall communicate the result to the appellant in a language understood by him and shall obtain acknowledgment or record refusal/inability. (4) Where the appellant is illiterate, disabled, mentally ill, unable to understand the language, or otherwise vulnerable, the result shall be explained with assistance of interpreter, translator, legal aid counsel, jail legal aid clinic or other competent person. (5) Where the appellate order is adverse to the appellant, the intimation shall include information regarding availability of free legal aid for further remedies, where applicable. (6) In death sentence, life imprisonment, POCSO, SC/ST Act, sexual offence, NDPS or other serious cases, communication shall be made urgently and proof thereof preserved. (7) The notification shall not disclose protected victim/witness identity or sensitive particulars unnecessarily.	2023 — appellate powers, appellate judgment/certification, suspension and release pending appeal. Article 39-A, Constitution of India; Legal Services Authorities Act, 1987. Patna High Court Circular Order No. 02 of 2025 — legal aid information/coversheet for higher remedies. Patna Vulnerable Witness Guidelines / Witness Protection Scheme, 2018 — identity protection.

Rule 86. Notice under Rule 85 is solely for communicating result of appeal and does not relieve officers from issuing revised warrants where necessary. Provisos govern cases where accused was admitted to bail pending appeal: reversal, retrial, modification, confirmation, surrender to bail, endorsement of release/surrender dates, Form (M) 17-A, bail bond to accompany order, immediate measures to secure surrender/re-commitment, and cases where accused surrenders in appellate Court.	**Rule 86: Consequential action where appellant was on bail pending appeal.** (1) The notification of appellate result to an appellant shall not dispense with the duty to issue release warrant, fresh warrant, revised warrant, surrender direction, re-commitment order or any other consequential process required by the appellate order. (2) Where an accused was admitted to bail pending appeal and the conviction and sentence are reversed, the appellate Court shall return the original warrant, if any, with a copy of its order to the Court by which the accused was admitted to bail, with direction to discharge him and cancel bonds according to law. (3) Where conviction and sentence are set aside and retrial is ordered, the appellate Court shall transmit the original warrant and order to the trial Court with directions for retrial and for custody/bail action in accordance with law. (4) Where sentence is modified, the appellate Court shall prepare a fresh warrant or authenticated modified order and forward it with the original warrant and appellate order to the Court by which the accused was admitted to bail, with direction to secure surrender and commitment to jail on the modified warrant, unless otherwise directed.	Existing Rule 86 and Provisos 1–2, Chapter XII, Patna Criminal Court Rules. Section 430, Bharatiya Nagarik Suraksha Sanhita, 2023 — suspension of sentence pending appeal and exclusion of time spent on appellate bail in computing sentence where ultimately sentenced. Section 427, Bharatiya Nagarik Suraksha Sanhita, 2023 — appellate powers to reverse, order retrial, alter sentence or pass consequential orders. Section 429, Bharatiya Nagarik Suraksha Sanhita, 2023 — certification of High Court appellate order and conformable action by lower Court. BNSS provisions relating to bail bonds and bond forfeiture. Section 530 BNSS — electronic mode. Witness Protection Scheme, 2018 / Patna Vulnerable

	(5) Where conviction and sentence are confirmed, the appellate Court shall return the original warrant with the appellate order to the Court by which the accused was admitted to bail, with direction to secure surrender and re-commitment to jail on the original warrant. (6) The Court before which the accused surrenders shall endorse on the warrant the dates of release on bail, surrender, and re-commitment, and shall transmit the endorsed warrant to the proper Court. (7) A copy of the appellate order shall be prepared and dispatched immediately after the order is passed, without waiting for the detailed judgment where immediate custody or release action is required; the judgment copy shall follow when ready. (8) Bail bonds, surety bonds and related documents shall accompany the appellate order wherever surrender, discharge, forfeiture or cancellation of bond is required. (9) Where the accused surrenders before the appellate Court and the sentence is reversed, the appellate Court may discharge him; where sentence is modified or confirmed, the appellate Court may forward him in custody with the modified or original warrant to the competent Court or authority for commitment.	Witness Guidelines — protection and non-contact safeguards.

	(10) Directions to secure surrender, re-commitment or release shall be carried out without delay and may be transmitted by secure electronic mode. (11) Where victim/witness protection or no-contact conditions were imposed during appellate bail, the Court shall pass appropriate continuation, modification or cessation orders while disposing of the appeal.	
Rule 87. The Court to which the judgment of the High Court may have been certified for giving effect thereto will be guided by Rules 82 to 86. Except when the High Court otherwise directs, the lower Court shall issue the warrant of release or modification of sentence.	**Rule 87: Giving effect to High Court appellate judgment or order.** (1) The Court to which the judgment or order of the High Court is certified for giving effect shall act in conformity with such judgment or order without delay. (2) Unless the High Court otherwise directs, the lower Court shall issue the necessary release warrant, fresh warrant, modified warrant, surrender warrant, re-commitment order, retrial direction, property order, fine/compensation direction or any other consequential process. (3) The lower Court shall amend the original record, warrant record, conviction/sentence register, fine/compensation register, property register, electronic record and CIS entries in conformity with the High Court order. (4) Where the High Court order affects custody, release, bail, sentence, fine, compensation, property, victim protection, witness protection or	Existing Rule 87, Chapter XII, Patna Criminal Court Rules. Section 429, Bharatiya Nagarik Suraksha Sanhita, 2023 — High Court appellate order to be certified to lower Court; lower Court to make conformable orders and amend record. Section 427, Bharatiya Nagarik Suraksha Sanhita, 2023 — appellate Court's consequential powers. Section 530, Bharatiya Nagarik Suraksha Sanhita, 2023 — electronic mode. Patna Vulnerable Witness Guidelines / Witness

	retrial, immediate communication shall be made to the jail authority, prosecution, accused/advocate, Legal Services Authority and any other authority concerned. (5) Where the High Court order involves sensitive records, vulnerable witnesses, child victims, sexual offence victims or protected witnesses, certified copies and communications shall be redacted or sealed as required. (6) The Court shall record compliance and, where directed, submit compliance report to the High Court. (7) Communication and transmission may be through secure physical or electronic mode.	Protection Scheme, 2018 — restricted disclosure and confidentiality.
Rule 88. Where the High Court simply modifies a sentence passed by a Sessions Judge without change of section, and where the High Court passes a new sentence by changing the conviction section or punishment section, or otherwise, the sentence	**Rule 88: Commencement and computation of sentence after appellate modification by High Court.** (1) Where the High Court modifies a sentence passed by a Sessions Judge without altering the conviction section, the sentence finally passed shall, unless otherwise directed by the High Court, count from the first day of imprisonment under the original sentence. (2) Where the High Court alters the conviction section, punishment section, nature of sentence, extent of sentence, fine, compensation, default sentence, concurrent/consecutive direction or any other	Existing Rule 88, Chapter XII, Patna Criminal Court Rules. Sections 427, 429 and 430, Bharatiya Nagarik Suraksha Sanhita, 2023 — appellate powers, certification to lower Court and suspension/release pending appeal. BNSS provisions relating to execution of sentences and set-off of custody. Proposed Chapter XI Rule 77-B — custody calculation, set-off and release

finally passed shall count, unless specially otherwise directed, from the first day of imprisonment under the original sentence.	sentencing consequence, the final sentence shall be computed in accordance with the High Court order. (3) Unless the High Court otherwise directs, the period of imprisonment already undergone under the original sentence shall be credited in accordance with law. (4) The lower Court shall issue a revised warrant or modified sentence communication clearly specifying commencement date, custody undergone, set-off, sentence remaining, fine/default sentence, compensation and concurrent/consecutive direction. (5) Where the High Court order creates ambiguity regarding commencement or computation, the lower Court or jail authority shall promptly seek clarification from the High Court through proper channel. (6) The revised warrant and computation shall be communicated to jail without delay, and acknowledgement shall be preserved. (7) The prisoner shall be informed of the appellate modification and revised sentence calculation in a language understood by him, with legal aid information where further remedy may lie.	verification. Patna High Court Circular Order No. 02 of 2025 — legal aid information for further remedies.
New Rule.	**Rule 88-A: Victim, informant and complainant participation and notice in appeals.**	Section 413 proviso, Bharatiya Nagarik Suraksha Sanhita, 2023 — victim's right to appeal against

	(1) In every appeal where notice to victim, informant, complainant or accused is required by BNSS or any special law, the appellate Court shall ensure issuance of notice in the prescribed manner. (2) Where the appeal is by the victim against acquittal, conviction for lesser offence or inadequate compensation, the filing, defects, limitation, service and hearing of the appeal shall be processed with due regard to the victim's statutory right of appeal. (3) In appeals under the SC/ST Act, POCSO Act or any special law conferring participation rights upon the victim or dependent, the appellate Court shall ensure compliance with notice, hearing and written-submission requirements. (4) In appeals for enhancement of sentence or against acquittal, the accused shall be furnished copy of grounds of appeal and given reasonable opportunity of hearing before any adverse order. (5) Notice and records supplied to victims or complainants shall be redacted where necessary to protect accused privacy, child identity, vulnerable witness identity, protected witness location or sealed material. (6) Notice may be served physically or through electronic mode where permitted, and proof of service shall be preserved.	acquittal, conviction for lesser offence or inadequate compensation. Sections 418 and 419, Bharatiya Nagarik Suraksha Sanhita, 2023 — appeal by State against sentence and appeal in case of acquittal. Section 426, Bharatiya Nagarik Suraksha Sanhita, 2023 — notice of hearing and copy of grounds in appeals under Sections 418 and 419. SC/ST Act, 1989 — rights of victims and witnesses, including participation and hearing. POCSO Act, 2012 — child victim protection and participation safeguards. Patna Vulnerable Witness Guidelines / Witness Protection Scheme, 2018 — confidentiality and safe service.

New Rule.	**Rule 88-B: Appeals involving vulnerable witnesses, children, sexual offences and protected records.** (1) In appeals arising out of cases involving children, sexual offences, POCSO offences, vulnerable witnesses, protected witnesses, witness protection orders, medical privacy or sealed evidence, the appellate record shall be handled with confidentiality. (2) The appellate Court shall ensure that cause lists, public orders, certified copies, digital uploads and communications do not disclose protected identity. (3) Where appellate Court requires audio-video deposition, vulnerable witness deposition, sealed statement, medical record, electronic sexual offence material, child-related record or witness protection material, the same shall be transmitted in sealed or restricted-access form. (4) Where additional evidence is directed in appeal and the witness is a vulnerable witness or child, the recording Court shall follow the Patna High Court Vulnerable Witness Guidelines and applicable special law. (5) No copy of sensitive audio-video or electronic record shall be supplied, shown, copied, transmitted or uploaded except under order of the appellate Court and subject to safeguards. (6) The appellate Court may direct redacted and unredacted sets of record to be maintained separately.	Section 432, Bharatiya Nagarik Suraksha Sanhita, 2023 — appellate Court may take additional evidence or direct it to be taken; accused/advocate has right to be present and evidence is subject to Chapter XXV. Section 530, Bharatiya Nagarik Suraksha Sanhita, 2023 — electronic mode. Patna High Court Draft Amended Guidelines for Recording Evidence of Vulnerable Witnesses, 2025/2026 — vulnerable witness evidence, confidentiality and restricted access. Witness Protection Scheme, 2018 / Section 398 BNSS — identity protection and protected witness confidentiality. POCSO Act, 2012; SC/ST Act, 1989.

New Rule.	**Rule 88-C: Additional evidence in appeal and transmission of supplementary record.** (1) Where the appellate Court directs additional evidence to be taken, it shall record reasons and specify whether such evidence is to be taken by itself, by the Court of Session, by a Magistrate or by any other competent Court as permitted by law. (2) The order shall specify the witness, document, electronic record, expert report, material object or issue on which additional evidence is required. (3) The Court directed to take additional evidence shall issue necessary process, record evidence in accordance with BNSS and BSA, and certify the evidence and record back to the appellate Court without delay. (4) The accused and his advocate shall have the right to be present when additional evidence is taken, subject to law and any protective measures ordered for vulnerable or protected witnesses. (5) Where electronic or digital evidence is produced as additional evidence, certificate, hash value, chain of custody, transcript, device/storage details and access restrictions shall be recorded, as far as applicable.	Section 432, Bharatiya Nagarik Suraksha Sanhita, 2023 — appellate Court may take additional evidence or direct it to be taken; reasons to be recorded; evidence to be certified to appellate Court; accused/advocate's right to be present. BNSS Chapter XXV — recording of evidence in inquiries/trials. Bharatiya Sakshya Adhiniyam, 2023 — proof of oral, documentary and electronic evidence. Patna Vulnerable Witness Guidelines. Maharashtra eSakshya Management Rules, 2025 — electronic evidence management principles, hash value and secure storage.

	(6) Where additional evidence relates to child/vulnerable/protected witness, the recording Court shall follow vulnerable witness guidelines, identity protection and in-camera/restricted-access safeguards. (7) The supplementary record shall be paginated, indexed, sealed where necessary, and transmitted physically or electronically to the appellate Court with acknowledgement.	
New Rule.	**Rule 88-D: Appeal record, digital record, exhibits and material objects management.** (1) Every appellate Court shall maintain an appeal record physically or electronically, containing the appeal petition, grounds, judgment/order appealed against, bail/suspension orders, notices, service reports, lower Court record, exhibits/material object index, electronic exhibit index, judgment and final consequential orders. (2) The lower Court shall not return, destroy, dispose of, delete, overwrite, auction or otherwise part with any material exhibit, electronic record, biological sample or sealed record until appeal limitation expires and, where appeal is filed, until final disposal or further order. (3) Where material objects, weapons, narcotics, currency, vehicles, biological samples, digital devices, CCTV/DVR, mobile phones or other bulky/sensitive exhibits are required in appeal, the appellate	Existing Rule 71, Patna Criminal Court Rules — preservation/forwarding of material exhibits to High Court. Existing Rule 83–88, Chapter XII — warrants and appellate consequential record movement. BNSS provisions relating to appeals, appellate records and powers of appellate Court. Bharatiya Sakshya Adhiniyam, 2023 — electronic/digital evidence. NDPS Act, 1985 — special handling of narcotic property/material. Patna Vulnerable Witness Guidelines / Witness Protection Scheme, 2018.

	Court may direct physical production, certified photographs, forensic copies, digital clones, sample production or such other mode as is safe and lawful. (4) Electronic exhibits shall be preserved with exhibit number, storage details, hash value, certificate, forensic report and transcript, as available. (5) A record movement memo shall accompany every physical/electronic record sent to or received from the appellate Court. (6) Sensitive records shall be transmitted and stored in sealed or restricted-access form.	
New Rule.	**Rule 88-E: Expeditious hearing and monitoring of criminal appeals involving custody, death sentence, vulnerable victims or special statutes.** (1) Appeals involving appellants in custody, sentence of death, life imprisonment, old appeals, women/child victims, sexual offences, POCSO offences, SC/ST Act offences, NDPS offences, vulnerable witnesses or protected witnesses shall be identified for priority monitoring by the appellate Court. (2) Where the appeal is against conviction for offences under Sections 64, 65, 66, 67, 68, 70 or 71 of the Bharatiya Nyaya Sanhita, 2023, the	Section 415(4), Bharatiya Nagarik Suraksha Sanhita, 2023 — appeals against sentences under specified BNS sexual offence provisions to be disposed of within six months from filing. Section 418(4), Bharatiya Nagarik Suraksha Sanhita, 2023 — appeal against sentence under specified BNS provisions to be disposed of within six months. Section 430, Bharatiya Nagarik Suraksha Sanhita,

	appeal shall be dealt with having regard to the statutory six-month disposal mandate. (3) The appellate Court shall monitor delay in receipt of lower Court records, paper-book preparation, service of notice, jail production, legal aid assignment and transmission of exhibits. (4) Where the appellant is in custody and appeal is unlikely to be heard within a reasonable time, the Court may consider prayer for suspension of sentence or bail in accordance with law. (5) In appeals involving child/vulnerable victims or protected witnesses, priority listing shall be balanced with confidentiality, identity protection and victim/witness safety. (6) Delay attributable to lower Court record transmission, jail communication or prosecution record production may be reported to the Sessions Judge/District Judge/High Court, as applicable.	2023 — suspension of sentence pending appeal and release on bail. Patna High Court Circular Order No. 06 of 2025 / *CBI v. Mir Usman @ Ara @ Mir Usman Ali*, 2025 INSC 1155 — expedition and avoidance of unnecessary delay. POCSO Act, 2012; SC/ST Act, 1989; NDPS Act, 1985.
New Rule.	**Rule 88-F: Appeal register, custody-status register and digital monitoring.** (1) Every appellate Court shall maintain an Appeal Register physically or electronically. (2) The register shall contain, as far as applicable— (a) appeal number and CNR number; (b) lower Court case number and CNR number;	BNSS Chapter XXXI — Appeals, Sections 413 to 435. Sections 423 to 430, Bharatiya Nagarik Suraksha Sanhita, 2023 — appeal petition, appellant in jail, summary dismissal, hearing, appellate powers, certification to lower Court and suspension/release

	(c) name of appellant/respondent; (d) custody/bail status; (e) date of judgment appealed against; (f) date of filing/presentation from jail; (g) date of receipt of lower Court record; (h) date of admission/summary dismissal; (i) date of notice and service; (j) suspension/bail order; (k) date of final hearing; (l) result of appeal; (m) release/fresh warrant/revised warrant issued; (n) fine/compensation modification; (o) legal aid status; (p) victim/informant notice where applicable; (q) protected-record flag where applicable; and (r) date of compliance by lower Court/jail authority. (3) Appeals involving custody, death sentence, sexual offences, POCSO, SC/ST Act, NDPS, vulnerable victims or old matters shall be capable of being separately identified. (4) The register may be integrated with CIS/e-Courts/e-Prisons or other approved platforms, subject to High Court directions.	pending appeal. Section 530, Bharatiya Nagarik Suraksha Sanhita, 2023 — electronic mode. Patna High Court Circular Order No. 06 of 2025 / *CBI v. Mir Usman @ Ara @ Mir Usman Ali* — monitoring and expedition principle. Patna Vulnerable Witness Guidelines / Witness Protection Scheme, 2018 — restricted access to protected records.

	(5) The appellate Court shall periodically review pending appeals in which the appellant is in custody or record has not been received. (6) Records containing protected identity shall be maintained with restricted access.	
	CHAPTER XIII **REFERENCE AND REVISION** **RULES 89 TO 94-F** ***This includes:- subordination/inferiority of Magistrates for revisional purposes; communications with Executive Magistrates through District Magistrate; calling for records from Executive/Judicial Magistrates; affidavit against second revision and suppression; reference to High Court on validity of law; certification and compliance of High Court's reference/revision order; maintainability scrutiny; suspension of execution and release pending revision; notice and hearing before prejudicial revisional orders; limits of revisional jurisdiction; conversion of revision into appeal where legally permissible; digital/sealed record handling; revision register and monitoring.***	
Rule 89. The Magistrate of district must be deemed in respect of his judicial functions and in this respect only to be subordinate to the Sessions Judge.	**Rule 89: Subordination of Magistrates for revisional and judicial control.** (1) For the purposes of reference, revision, calling for records, supervision of judicial proceedings and exercise of revisional jurisdiction, every Magistrate exercising criminal jurisdiction within	Existing Rule 89, Chapter XIII, Patna Criminal Court Rules. Section 438 BNSS — High Court or Sessions Judge may call for and examine the record of proceedings before any inferior Criminal Court for revisional purposes;

	the Sessions Division shall be deemed to be inferior or subordinate to the Sessions Judge to the extent provided by law. (2) Such subordination shall relate only to judicial and revisional functions and shall not affect administrative, executive or statutory functions exercised independently under any law. (3) Judicial Magistrates, Executive Magistrates and other Criminal Courts shall comply with lawful judicial requisitions made by the Sessions Judge or High Court for production of records, explanations, reports or compliance in any case subject to reference, revision or judicial scrutiny. (4) All communications under this Rule shall be confined to the judicial proceeding concerned and shall not be used to interfere with independent adjudication or statutory discretion of the Magistrate. (5) Where the record concerns a proceeding of an Executive Magistrate, requisition shall ordinarily be routed through the District Magistrate, unless otherwise directed by the High Court or Sessions Judge in accordance with law. (6) Where the record concerns a Judicial Magistrate, the record may be called directly from the Court concerned or through the Chief Judicial Magistrate, as the Sessions Judge or High Court may direct.	Explanation treats Magistrates, whether Executive or Judicial, and whether exercising original or appellate jurisdiction, as inferior to Sessions Judge for purposes of Sections 438 and 439. Section 439 BNSS — power to order inquiry. Section 440 BNSS — Sessions Judge's powers of revision. Constitutional principle of separation of judicial and executive functions; rule confined only to judicial/revisional functions.

	(7) Communications and requisitions may be made physically or through secure official electronic mode, and acknowledgement shall be preserved.	
Rule 90. Sessions Judges are to be guided by, but not to go beyond, the stated instructions in communications with Executive Magistrates. District Magistrates are to comply with requisitions made by Sessions Judges with regard to any case appealable to or revisable by them. District Magistrates are also to render any explanation required from them and to obtain and submit explanations required from Executive Magistrates.	**Rule 90: Requisitions and communications between Sessions Judges and Executive Magistrates.** (1) Communications by Sessions Judges with District Magistrates or Executive Magistrates in relation to criminal proceedings shall be confined to cases, proceedings or orders which are subject to appeal, revision, reference or judicial scrutiny by the Sessions Court or High Court. (2) Where the Sessions Judge calls for the record of any proceeding before an Executive Magistrate, the requisition shall ordinarily be addressed to the District Magistrate, who shall ensure transmission of the complete record within the time specified. (3) The District Magistrate shall comply with lawful requisitions of the Sessions Judge for record, report, explanation or compliance in relation to any proceeding appealable, revisable or otherwise subject to judicial scrutiny. (4) Where explanation of an Executive Magistrate is required, the District Magistrate shall obtain and transmit such explanation to the Sessions Judge within the time fixed.	Existing Rule 90, Chapter XIII, Patna Criminal Court Rules. Section 438 BNSS — calling for records for revision, including proceedings before Executive and Judicial Magistrates. Section 440 BNSS — Sessions Judge may exercise revisional powers. Section 530 BNSS — electronic mode of proceedings and communications. Patna Vulnerable Witness Guidelines / Witness Protection Scheme, 2018 — sealed and restricted transmission of sensitive or protected records.

	(5) Requisitions shall specify the case number, parties, nature of proceeding, order under scrutiny, record required, urgency, and whether execution of the order has been suspended or stayed. (6) Where the matter involves preventive proceedings, bond/security proceedings, public order proceedings, attachment or possession proceedings, urgent action shall be taken so that revisional scrutiny is not rendered infructuous. (7) No communication under this Rule shall contain observations on the merits of the pending proceeding beyond what is necessary for calling for record, explanation or compliance. (8) Communications may be made through special messenger, official e-mail, CIS/e-Courts linked mode, or other secure official electronic mode approved by the High Court. (9) Where the proceeding involves vulnerable persons, protected witnesses, sexual offence victims, children or sealed material, records shall be transmitted in sealed or restricted-access form.	
Rule 91. When the record of a proceeding in the Court of Executive Magistrates is called for by the Sessions Judge under Section 397	**Rule 91: Mode of calling for records in revision.** (1) Where the Sessions Judge calls for the record of a proceeding of an Executive Magistrate for exercise of revisional jurisdiction, the requisition shall ordinarily be issued through the District Magistrate.	Existing Rule 91, Chapter XIII, Patna Criminal Court Rules. Section 438 BNSS — calling for records to exercise powers of revision; revisional Court may direct suspension of execution and

Cr.P.C., it shall always be done through the District Magistrate. If the case relates to the Court of Judicial Magistrate, the record shall be called for from that Court.	(2) Where the record relates to a Judicial Magistrate, it may be called directly from the Court concerned, or through the Chief Judicial Magistrate, as may be directed. (3) The requisition shall clearly specify whether the original record, certified copy, scanned record, case diary, exhibit, bond, warrant, report, electronic record or sealed material is required. (4) The Court or authority transmitting the record shall send a complete index and shall indicate whether any exhibit, material object, electronic record, sealed record, vulnerable witness material or protected identity document forms part of the record. (5) Where the revisional Court directs suspension of execution of any sentence or order while calling for record, such direction shall be communicated immediately to the executing Court, jail authority, police authority or other authority concerned. (6) If the record is voluminous, bulky, sensitive, digital, sealed, or contains hazardous/perishable material, the transmitting authority may send certified/scanned copies or seek directions regarding mode of transmission, unless original record is specifically required. (7) Electronic records shall, as far as practicable, be transmitted with exhibit number, file name, storage medium, hash value, certificate, transcript or chain of custody details, where available.	release on bond/bail bond pending examination of record. Section 530 BNSS — electronic mode. Bharatiya Sakshya Adhiniyam, 2023 — electronic/digital records and proof of electronic evidence. Patna Vulnerable Witness Guidelines / Witness Protection Scheme, 2018 — confidentiality and sealed records. Maharashtra eSakshya Management Rules, 2025 — comparative reference on digital evidence identifiers such as hash value, secure storage and electronic evidence management.

	(8) Records containing identity of children, victims of sexual offences, vulnerable witnesses, protected witnesses or persons under witness protection shall be transmitted in sealed or restricted-access form. (9) Acknowledgement of receipt and return of record shall be preserved by both Courts.	
Rule 92. Every application under Section 397 Cr.P.C. shall be accompanied with an affidavit stating whether an application on the same facts and against the same judgment or order had been previously filed before the High Court or the Sessions Judge on behalf of all or any of the petitioners, and if so, with what result.	**Rule 92: Affidavit of previous revision, maintainability and disclosure in revision applications.** (1) Every application for revision under the Bharatiya Nagarik Suraksha Sanhita, 2023 shall be accompanied by an affidavit of the applicant or authorised person stating whether any application, revision, appeal, petition or proceeding on the same facts and against the same judgment, order or proceeding has previously been filed before the High Court, Sessions Judge or any other Court on behalf of all or any of the applicants. (2) The affidavit shall disclose— (a) the Court before which the previous proceeding was filed; (b) case number; (c) parties; (d) date of filing; (e) order challenged; (f) relief claimed;	Existing Rule 92, Chapter XIII, Patna Criminal Court Rules. Section 438(2) BNSS — revisional powers shall not be exercised in relation to interlocutory orders. Section 438(3) BNSS — where revision application has been made by a person either to High Court or Sessions Judge, no further application by the same person shall be entertained by the other. Section 442(4) BNSS — where appeal lies and no appeal is brought, revision shall not be entertained at instance of party who could have appealed. Section 442(5) BNSS — High Court may treat revision as appeal where revision was

	(g) result/status; and (h) whether any interim order, stay, suspension or bail order was passed. (3) The affidavit shall also state whether any appeal lies or has been filed against the impugned judgment or order. (4) Where the applicant had a right of appeal but has filed revision under an erroneous belief that no appeal lies, the application shall disclose the reason for such belief and the Court may deal with the matter according to law. (5) Where the impugned order is interlocutory, the applicant shall disclose how the revision is maintainable despite the statutory bar. (6) Where the applicant is in custody or jail, the affidavit requirement may be satisfied through jail declaration, legal aid counsel affidavit, or such verification as the Court considers sufficient, without defeating access to justice. (7) Suppression of previous revision, appeal or proceeding may invite rejection, dismissal, costs or other order as the Court considers proper. (8) In cases involving sexual offences, children, vulnerable witnesses or protected witnesses, the affidavit and annexures shall not disclose protected identity except where legally necessary.	filed under erroneous belief that no appeal lies and interests of justice require. Article 39-A, Constitution of India; Legal Services Authorities Act, 1987 — access to legal aid, especially for jail/custody revision applicants. Patna High Court Circular Order No. 02 of 2025 — legal aid information for pursuing higher remedies.

Rule 93. Deleted.	**Rule 93: Reference to High Court on question of validity of law.** (1) Where any Court is satisfied that a case pending before it involves a question as to the validity of any Act, Ordinance, Regulation or provision thereof, and that determination of such question is necessary for disposal of the case, it may state a case and refer the same for decision of the High Court in accordance with BNSS. (2) The reference shall set out— (a) the facts necessary for deciding the question; (b) the provision whose validity is questioned; (c) the precise constitutional or legal question; (d) submissions of parties, where heard; (e) the Court's own opinion with reasons; (f) whether any interim order, custody order, bail order or stay of proceeding is required; and (g) list of records and documents transmitted. (3) The Court may stay further proceedings or pass such interim order as may be permissible until the High Court's decision. (4) The record transmitted to the High Court shall be indexed, paginated and, where appropriate, transmitted electronically through secure mode. (5) Sensitive records, identity-protected documents, vulnerable witness material and sealed evidence shall be transmitted in sealed or restricted-access form.	Section 436 BNSS — reference to High Court where validity of Act, Ordinance, Regulation or provision is involved and determination is necessary for disposal of case. Section 437 BNSS — disposal of case according to decision of High Court. Section 530 BNSS — electronic mode. Patna Vulnerable Witness Guidelines / Witness Protection Scheme, 2018 — sealed/restricted transmission where record contains protected identity.

	(6) After receipt of the High Court's decision, the referring Court shall dispose of the case conformably to such decision and record compliance.	
Rule 94. Deleted.	**Rule 94: Certification and compliance of High Court order in reference or revision.** (1) Where the High Court passes any order in reference or revision and certifies the same to the lower Court, the lower Court shall act in conformity with such order without delay. (2) The lower Court shall make necessary entries in the record, order-sheet, register, warrant record, bail bond record, fine/compensation register, property register, electronic record and CIS entry, as applicable. (3) Where the High Court order affects custody, bail, release, suspension of sentence, inquiry, retrial, further inquiry, property, compensation, witness protection or sealed record, the lower Court shall issue necessary consequential process immediately. (4) Where release, bail, suspension or custody modification is directed, the order shall be communicated immediately to the jail authority or executing authority through secure physical or electronic mode, and acknowledgement shall be preserved.	Section 445 BNSS — High Court's order in revision to be certified to lower Court, which shall make conformable orders and amend the record where necessary. Section 442 BNSS — High Court's powers of revision, including appellate powers and power to order further inquiry. Section 439 BNSS — power to order inquiry. Section 530 BNSS — electronic mode. Patna High Court Circular Order No. 06 of 2025 / *CBI v. Mir Usman @ Ara @ Mir Usman Ali* — expedition and avoidance of delay in judicial proceedings.

	(5) Where further inquiry or retrial is ordered, the lower Court shall fix an early date and ensure compliance with directions of the High Court. (6) Where the High Court order relates to sensitive record, child victim, sexual offence victim, vulnerable witness or protected witness, the lower Court shall preserve confidentiality while acting upon the order. (7) Compliance report shall be submitted to the High Court where directed or where the nature of the order requires confirmation of compliance.	
New Rule.	**Rule 94-A: Scrutiny of maintainability of revision applications.** (1) Every revision application shall be scrutinised at filing or preliminary stage for maintainability. (2) The scrutiny shall include whether— (a) the order is interlocutory; (b) appeal lies against the impugned judgment or order; (c) previous revision has been filed before High Court or Sessions Judge by the same person; (d) limitation and delay, if any, have been addressed; (e) certified copy or authenticated copy of impugned order is filed; (f) custody or bail status is disclosed; (g) interim relief, stay or suspension is sought; and (h) protected identity or sealed record requires restricted filing.	Section 438(2) and 438(3) BNSS — interlocutory order bar and bar on second revision before other forum. Section 442(4) and 442(5) BNSS — revision not maintainable where appeal lies and no appeal filed, but High Court may treat revision as appeal where filed under erroneous belief. Section 438(1) BNSS — revisional Court may suspend execution and release accused on bond/bail bond pending examination of record. Article 39-A, Constitution of India; Legal Services

	(3) Defects shall be notified to the applicant or advocate, and reasonable opportunity shall be given to remove defects, subject to urgency. (4) Where the applicant is in custody, indigent, unrepresented or files through jail, defects shall not defeat access to revision without legal aid assistance being considered. (5) Where the Court finds that appeal lies and revision has been filed under erroneous belief, it may pass appropriate order according to BNSS. (6) Revisions seeking stay of proceedings, suspension of sentence, release on bond/bail bond, or protection against coercive action shall be listed expeditiously.	Authorities Act, 1987. Patna High Court Circular Order No. 02 of 2025 — legal aid information for higher remedies.
New Rule.	**Rule 94-B: Revision in custody matters, suspension of execution and release pending revision.** (1) Where the revisional Court calls for the record of any proceeding and considers it necessary to suspend execution of any sentence or order, it may pass appropriate order in accordance with BNSS. (2) Where the accused or applicant is in confinement, the Court may direct release on own bond or bail bond pending examination of the record, subject to conditions as it considers fit.	Section 438(1) BNSS — while calling for record, High Court or Sessions Judge may direct suspension of execution and, if accused is in confinement, release on own bond or bail bond pending examination of record. Section 442 BNSS — High Court's powers of revision. Section 530 BNSS — electronic mode. Legal

	(3) The order shall clearly mention duration, bond amount, sureties, reporting conditions, no-contact conditions, victim/witness protection conditions and next date, where applicable. (4) In offences involving death, life imprisonment, sexual offences, POCSO, SC/ST Act, NDPS, vulnerable witnesses or protected witnesses, the Court shall consider statutory restrictions, victim/witness safety and prosecution opportunity before granting release, wherever required by law. (5) Release/suspension orders shall be communicated immediately to the lower Court and jail authority by secure physical or electronic mode, and acknowledgement shall be preserved. (6) Where the person is unable to furnish bail or surety due to poverty or vulnerability, the Court shall consider legal aid intimation and may pass appropriate order in accordance with law. (7) Protected victim/witness identity shall not be disclosed in release communication except where legally necessary.	Services Authorities Act, 1987; Article 39-A, Constitution of India. SC/ST Act, 1989; POCSO Act, 2012; NDPS Act, 1985 — special statute safeguards/restrictions. Witness Protection Scheme, 2018 / Patna Vulnerable Witness Guidelines.
New Rule.	**Rule 94-C: Notice and opportunity of hearing before prejudicial revisional order.** (1) No revisional order prejudicial to the accused or any other person shall be passed unless such person has been given an opportunity of being heard personally or through advocate, in accordance with law.	Section 442(2) BNSS — no order under revisional powers shall be made to prejudice of accused or other person unless he has had opportunity of being heard personally or by advocate.

	(2) Where the revisional Court proposes enhancement of sentence, cancellation of bail, reversal affecting liberty, further inquiry, retrial or any adverse order, notice shall be issued to the person likely to be prejudiced. (3) Where revision concerns dismissal of complaint, discharge, acquittal-like order, compensation, victim rights, custody, child/vulnerable victim or special statute, notice to complainant, victim, informant, State or other affected person shall be considered as required by law. (4) Notice shall be accompanied by copy of revision petition or grounds, impugned order and interim application, unless the Court directs otherwise for recorded reasons. (5) Service may be physical or electronic, subject to law and High Court directions. (6) In cases involving children, sexual offences, vulnerable witnesses, protected witnesses or sealed material, notice and supply shall be redacted or regulated to protect identity and confidentiality. (7) Urgent interim orders may be passed in accordance with law, but final prejudicial order shall not be passed without opportunity of hearing unless expressly permitted by law.	Section 444 BNSS — option of Court to hear parties. Section 439 BNSS — power to order inquiry. SC/ST Act, 1989 — victim/witness rights and participation. POCSO Act, 2012 — child/victim-sensitive procedure. Patna Vulnerable Witness Guidelines / Witness Protection Scheme, 2018.

New Rule.	**Rule 94-D: Limits of revisional jurisdiction and conversion of revision into appeal.** (1) The revisional Court shall not convert a finding of acquittal into one of conviction. (2) Where an appeal lies and the party entitled to appeal has not filed appeal, revision at the instance of such party shall not ordinarily be entertained except as permitted by BNSS. (3) Where a revision has been filed under an erroneous belief that no appeal lies and the Court is satisfied that interests of justice require, the High Court may treat the revision as an appeal and proceed according to law. (4) The revisional Court shall not exercise revisional jurisdiction in relation to interlocutory orders barred by BNSS. (5) The revisional Court shall not entertain a second revision by the same person before the other forum after one has been filed before the High Court or Sessions Judge. (6) The order in revision shall record the maintainability finding wherever objection is raised or where the issue is apparent from record. (7) In victim or complainant revision matters where a statutory appeal lies, the applicant shall be informed, where appropriate, of the proper remedy and legal aid availability.	Section 442(3) BNSS — High Court cannot convert finding of acquittal into conviction in revision. Section 442(4) BNSS — revision not to be entertained at instance of party who could have appealed. Section 442(5) BNSS — revision may be treated as appeal where filed under erroneous belief that no appeal lies. Section 438(2) BNSS — interlocutory order bar. Section 438(3) BNSS — bar on second revision before other forum by same person. Patna High Court Circular Order No. 02 of 2025 — legal aid information for higher remedies.

New Rule.	**Rule 94-E: Revisional record, digital record, exhibits and sealed material.** (1) Every revisional Court shall maintain a revision record physically or electronically, including revision petition, affidavit of previous filing, impugned order, lower Court record, interim applications, notices, service reports, order calling for record, stay/suspension orders, final order and compliance report. (2) Where the revision involves electronic or digital evidence, the record shall identify exhibit number, storage medium, file name, certificate, hash value, transcript, forensic report and chain of custody details, as available. (3) Material objects, electronic records, biological samples, narcotic samples, weapons, sealed statements, vulnerable witness records and other sensitive material shall not be transmitted physically unless required; certified copies, digital clones, photographs or sealed extracts may be transmitted subject to Court order. (4) Where original record is transmitted, a record movement memo shall accompany it and return shall be acknowledged. (5) Records containing identity of sexual offence victims, children, vulnerable witnesses, protected witnesses or persons under witness protection shall be maintained with restricted access.	Sections 438 to 445 BNSS — calling for records, revisional powers and certification of orders. Section 530 BNSS — electronic mode. Bharatiya Sakshya Adhiniyam, 2023 — electronic/digital evidence. Maharashtra eSakshya Management Rules, 2025 — comparative electronic evidence management principles, hash value and secure storage. Patna Vulnerable Witness Guidelines — sealed records, confidentiality and restricted inspection. Witness Protection Scheme, 2018. NDPS Act, 1985 — special handling of narcotic materials/exhibits.

	(6) The revisional Court may direct preparation of a redacted paper-book or digital set for hearing where full disclosure may compromise protected identity. (7) No sealed or sensitive material shall be copied, uploaded, transmitted or inspected except under order of the Court.	
New Rule.	**Rule 94-F: Revision register, monitoring and expeditious disposal.** (1) Every Sessions Court and revisional Court shall maintain a Revision Register physically or electronically. (2) The register shall contain, as far as applicable— (a) revision number and CNR number; (b) lower Court case number; (c) name of applicant and opposite party; (d) impugned order and date; (e) Court whose order is challenged; (f) date of filing; (g) affidavit of previous filing; (h) custody/bail status; (i) date of calling for record; (j) date of receipt of record; (k) interim stay/suspension order; (l) notice and service status; (m) protected-record flag, where applicable;	BNSS Chapter XXXII — Reference and Revision, Sections 436 to 445. Section 438 BNSS — calling for records, suspension of execution and release pending revision. Section 445 BNSS — certification of High Court order to lower Court and conformable action. Section 530 BNSS — electronic mode. Patna High Court Circular Order No. 06 of 2025 / *CBI v. Mir Usman @ Ara @ Mir Usman Ali*— expedition and avoidance of procedural delay. Patna Vulnerable Witness Guidelines / Witness Protection Scheme, 2018 — restricted access to protected records.

	(n) date of hearing; (o) result of revision; (p) date of certification/communication to lower Court; and (q) compliance status. (3) Revisions involving custody, maintenance, domestic violence, children, sexual offences, POCSO, SC/ST Act, NDPS, witness protection, vulnerable witnesses or time-sensitive interim orders shall be identified for priority monitoring. (4) Delay in receipt of record, non-compliance of stay/suspension order, or non-communication of release/custody order shall be brought to the notice of the Sessions Judge or High Court, as applicable. (5) The register may be integrated with CIS/e-Courts or other approved digital systems. (6) Records involving protected identities shall be maintained with restricted access.	
	CHAPTER XIV **ACCUSED PERSONS OF UNSOUND MIND / MENTAL ILLNESS** **RULES 95 TO 95-I** ***This aligns :- replacement of outdated title/terminology; form of acquittal on ground of unsoundness of mind; distinction between commission of act and criminal responsibility; medical examination***	

	and psychiatric/clinical psychological assessment; intellectual disability and capacity to enter defence; release, bail, safe custody and treatment pending trial; resumption of inquiry/trial; safe custody after acquittal; delivery to relative/friend; periodic review and discharge/release; confidentiality of medical records; legal aid and reasonable accommodation; register and digital monitoring.	
Chapter heading:CHAPTER XIV — Lunatics [Chapter XXV], Cr.P.C.	**Chapter heading: CHAPTER XIV — Accused Persons of Unsound Mind / Mental Illness** The expression "lunatics" shall be substituted with "accused persons of unsound mind / persons with mental illness / persons with intellectual disability", as the context requires. All references to Chapter XXV Cr.P.C. shall be substituted with corresponding provisions of **Chapter XXVII, Bharatiya Nagarik Suraksha Sanhita, 2023**.	BNSS Chapter XXVII is titled **"Provisions as to Accused Persons of Unsound Mind"** and contains Sections 367 to 378. Mental Healthcare Act, 2017 — rights-based statutory framework for persons with mental illness. Rights of Persons with Disabilities Act, 2016 — disability-sensitive and dignity-based terminology.
Rule 95. The following is suggested as a suitable form of finding of acquittal on the ground of insanity: "The Court finds that … did kill …	**Rule 95: Form of finding of acquittal on ground of unsoundness of mind.** (1) Where any person is acquitted on the ground that, at the time of the alleged act, he was, by reason of unsoundness of mind, incapable of knowing the nature of the act, or that the act was wrong or contrary to	Existing Rule 95, Chapter XIV, Patna Criminal Court Rules. Section 373 BNSS — whenever a person is acquitted on the ground of unsoundness of mind, the finding shall

by striking him on the head with a club, but that, by reason of unsoundness of mind, he was incapable of knowing that he was doing an act which was wrong or contrary to law, and that he is not therefore guilty of the offence specified in the charge, viz. …; and the Court directs that the said … be acquitted, and that, under the provisions of Section 335, Criminal Procedure Code, the said … be kept in safe custody in the …"	law, the finding shall specifically state whether he committed the act alleged or not. (2) The finding may be in the following form, with necessary modifications: "The Court finds that the accused … committed / did not commit the act alleged, namely …; but that at the time of the act, by reason of unsoundness of mind, he was incapable of knowing the nature of the act, or that it was wrong or contrary to law. The accused is, therefore, acquitted of the offence charged under … on the ground of unsoundness of mind. Since the finding states that the accused committed the act alleged and the act would, but for such incapacity, have constituted an offence, the Court directs that the accused be dealt with in accordance with Section 374 of the Bharatiya Nagarik Suraksha Sanhita, 2023." (3) The judgment shall separately record: (a) the act alleged; (b) whether the accused committed the act; (c) the medical and other evidence regarding unsoundness of mind; (d) whether the accused was incapable of knowing the nature of the act or that it was wrong or contrary to law; (e) the statutory offence charged; (f) the order of acquittal; and	state specifically whether he committed the act or not. Section 374 BNSS — where the finding states that the accused committed the act, and the act would have constituted an offence but for the incapacity, the Court may order detention in safe custody or deal with the person as permitted by law. Bharatiya Nyaya Sanhita, 2023 — general exception relating to act of person of unsound mind. Mental Healthcare Act, 2017 — dignity and rights-based treatment of persons with mental illness.

	(g) the order regarding safe custody, delivery to relative/friend, treatment or other direction permitted by law. (4) The Court shall avoid outdated or stigmatic expressions and shall use the statutory expressions "unsoundness of mind", "mental illness" or "intellectual disability", as appropriate. (5) The order shall not be treated as a conviction and shall clearly state that the acquittal is on the ground of unsoundness of mind.	
New Rule.	**Rule 95-A: Procedure where accused appears to be of unsound mind during inquiry or trial.** (1) Where, during inquiry or trial, it appears to the Magistrate or Court that the accused may be of unsound mind and consequently incapable of making his defence, the Court shall inquire into such fact in accordance with BNSS. (2) The Court shall cause the accused to be examined by the Civil Surgeon or such other medical officer as the State Government may direct and shall examine such medical officer as a witness, reducing the examination to writing, where required by law. (3) Where the medical officer finds the accused to be a person of unsound mind, the accused shall be referred to a psychiatrist or clinical psychologist of a Government hospital or Government medical college for care, treatment and prognosis, as required by BNSS.	Sections 367 and 368 BNSS — procedure in case of accused being person of unsound mind during inquiry or trial; examination by Civil Surgeon/medical officer; reference to psychiatrist or clinical psychologist; determination of incapacity to enter defence; postponement of proceedings. Section 369 BNSS — release of person of unsound mind pending investigation or trial. Mental Healthcare Act, 2017 — care and treatment framework for persons with mental illness. Rights of Persons with Disabilities Act, 2016 —

	(4) The Court shall determine whether the unsoundness of mind renders the accused incapable of entering defence. (5) Where intellectual disability is involved, the Court shall determine whether such disability renders the accused incapable of entering defence and shall proceed in accordance with law. (6) The order shall record: (a) the material giving rise to doubt; (b) medical examination directed; (c) opinion received; (d) whether the accused is capable of making defence; (e) whether proceedings are postponed, closed or resumed; and (f) interim custody, bail, treatment or safe custody direction. (7) The accused shall be provided legal aid, interpreter, communication assistance or support where required. (8) The proceeding shall be conducted with dignity, privacy and without stigmatic language.	reasonable accommodation and disability-sensitive procedure. Article 39-A, Constitution of India; Legal Services Authorities Act, 1987 — legal aid.
New Rule.	**Rule 95-B: Medical Board appeal, second opinion and mental-health assessment record.** (1) Where the accused is aggrieved by the information or opinion given by the psychiatrist or clinical psychologist to the Magistrate or Court,	Sections 367 and 368 BNSS — reference to psychiatrist/clinical psychologist and appeal before Medical Board where accused is aggrieved by such

	he shall be informed of the right to prefer an appeal before the Medical Board, where such right is available under BNSS. (2) The order referring the accused for assessment shall mention the institution, date, time, escort arrangement, custody status, medical papers to be sent and whether the accused requires interpreter, translator, disability support or communication assistance. (3) The medical assessment report shall, as far as applicable, state whether the accused suffers from unsoundness of mind, mental illness or intellectual disability, whether such condition affects capacity to make defence, prognosis, treatment need and whether safe release is possible. (4) Medical reports shall be kept in sealed or restricted-access form where they contain sensitive health information. (5) Copies shall be supplied only to parties or authorities entitled by law and subject to privacy safeguards. (6) The Court shall avoid relying on informal police or jail descriptions of mental condition in substitution of medical opinion required by law.	information/opinion. Mental Healthcare Act, 2017 — confidentiality, rights and treatment framework for persons with mental illness. Rights of Persons with Disabilities Act, 2016 — reasonable accommodation and non-discrimination. Patna Vulnerable Witness Guidelines — privacy, dignity and restricted handling of sensitive personal information.
New Rule.	**Rule 95-C: Release, bail, safe custody and treatment pending inquiry or trial.** (1) Where an accused is found incapable of entering defence by reason of unsoundness of mind or intellectual disability, the Court shall deal	Section 369 BNSS — release of person of unsound mind pending investigation or trial. Sections 367 and 368 BNSS — postponement/closure and dealing with

	with release, bail, safe custody or treatment strictly in accordance with BNSS. (2) The Court shall consider whether the accused may be released on sufficient security, bond or undertaking that he shall be properly taken care of and prevented from doing injury to himself or to any other person, and shall appear when required. (3) Where release is not considered safe or legally permissible, the Court may order detention in safe custody in such place and manner as permitted by law. (4) The order shall specify the place of custody or treatment, escort arrangement, review date, authority responsible for medical report, and whether periodic mental-health status report is required. (5) Detention shall not be punitive and shall be only for safety, treatment, production before Court and further lawful proceedings. (6) Where the accused is a woman, child in conflict with law, elderly person, person with disability, or person requiring special care, the Court shall pass appropriate directions consistent with special laws and dignity of the person. (7) The order shall be communicated to the jail authority, mental health establishment, relative/friend/guardian, Legal Services Authority and prosecution, as required.	accused under Section 369 where incapable of defence. Mental Healthcare Act, 2017, Section 103 — orders under Cr.P.C. provisions for admission of prisoners with mental illness into suitable mental health establishments; transfer to psychiatric ward or mental health establishment as provided. Rights of Persons with Disabilities Act, 2016 — reasonable accommodation. Article 21, Constitution of India — life, liberty and dignity.

	(8) The order shall not disclose unnecessary medical or personal details in public record.	
New Rule.	**Rule 95-D: Resumption of inquiry or trial after accused becomes capable of defence.** (1) Where inquiry or trial has been postponed because the accused was incapable of making his defence, the proceeding shall be resumed when the Court is satisfied, in accordance with BNSS, that the accused has ceased to be incapable of entering defence. (2) The Court shall obtain or consider medical report regarding capacity to participate in proceedings and may examine the medical officer, psychiatrist or clinical psychologist where required. (3) On production or appearance of the accused, the Court shall explain the proceeding in a language and manner understood by him and shall ensure legal representation. (4) If the accused continues to be incapable, the Court shall record reasons and pass further orders for treatment, safe custody, release or periodic review in accordance with law. (5) Where the accused had been released to the care of a relative or friend, the Court may call for compliance report and secure appearance of the accused.	Section 370 BNSS — resumption of inquiry or trial. Section 371 BNSS — procedure on accused appearing before Magistrate or Court. Section 376 BNSS — procedure where prisoner of unsound mind is reported capable of making defence. Mental Healthcare Act, 2017 — treatment and review framework. Patna High Court Circular Order No. 06 of 2025 / *CBI v. Mir Usman @ Ara @ Mir Usman Ali* — expedition and avoidance of unnecessary delay.

	(6) The order resuming proceedings shall be communicated to all necessary authorities and entered in the register. (7) Delay in receiving medical reports or producing the accused shall be monitored by the Court.	
New Rule.	**Rule 95-E: Finding where accused appears to have been of sound mind.** (1) Where, after inquiry into the mental condition of the accused, the Court finds that the accused is of sound mind and capable of making defence, the Court shall record such finding and proceed with the inquiry or trial according to law. (2) The finding shall briefly record the medical and other material considered. (3) If the accused is found fit but requires reasonable accommodation, interpreter, medication support, breaks during hearing, simplified explanation, legal aid or disability-related assistance, the Court may direct such measures. (4) The Court shall ensure that fitness to stand trial is not confused with guilt, innocence or the defence of unsoundness of mind at the time of offence. (5) Medical privacy shall be protected while recording the finding.	Section 372 BNSS — when accused appears to have been of sound mind. Sections 367 and 368 BNSS — distinction between incapacity to enter defence during inquiry/trial and medical opinion. Bharatiya Nyaya Sanhita, 2023 — defence/general exception concerning unsoundness of mind at the time of act. Rights of Persons with Disabilities Act, 2016 — reasonable accommodation.

New Rule.	**Rule 95-F: Safe custody after acquittal on ground of unsoundness of mind.** (1) Where an accused is acquitted on the ground of unsoundness of mind and the finding states that he committed the act alleged, the Court shall pass a separate order under BNSS regarding safe custody, release, treatment or delivery to relative/friend, as permitted by law. (2) The order shall record whether the act, but for the incapacity found, would have constituted an offence. (3) The Court shall consider the nature of the act, medical opinion, risk of harm to self or others, treatment requirement, availability of family support, victim/witness safety and statutory safeguards . (4) Where detention in safe custody is ordered, the Court shall specify the place and manner of detention and direct periodic medical review, as permitted by law. (5) Where delivery to relative or friend is considered, the Court shall require undertaking regarding care, treatment, prevention of harm, production before authority, and compliance with Government/Court directions. (6) The order shall be communicated to the State Government or authorised officer, jail/mental health establishment, police authority, Legal Services Authority and any other authority concerned.	Section 374 BNSS — person acquitted on ground of unsoundness of mind to be detained in safe custody; applies where finding states accused committed the act alleged and the act would have constituted an offence but for incapacity. Section 378 BNSS — delivery of person of unsound mind to care of relative or friend. Mental Healthcare Act, 2017, Section 103 — admission/transfer of prisoners with mental illness to suitable mental health establishments. Witness Protection Scheme, 2018 and Patna Vulnerable Witness Guidelines — victim/witness safety and confidentiality.

	(7) The order shall protect medical privacy and protected victim/witness identity.	
New Rule.	**Rule 95-G: Periodic review, discharge and release of person detained after unsoundness finding.** (1) Where a person is detained in safe custody under BNSS because of unsoundness of mind, the Court shall ensure that the detention order and subsequent communication provide for medical review and reporting by the competent authority. (2) Where the competent medical or custodial authority certifies that the person is capable of making defence or may be released without danger of injury to himself or any other person, the report shall be forwarded to the State Government and/or Court as required by law. (3) On receipt of such report or Government order, the Court shall take consequential steps for resumption of proceedings, release, delivery to relative/friend, or continued detention in accordance with BNSS. (4) The person detained shall not be kept in custody indefinitely without lawful review. (5) The Legal Services Authority may be informed in appropriate cases for assistance to the person detained or his family. (6) Victim/witness protection concerns shall be considered while communicating release, without disclosing protected identity.	Sections 375, 376 and 377 BNSS — power of State Government to empower officer in charge to discharge; procedure where prisoner is reported capable of making defence; procedure where person detained is declared fit to be released. Mental Healthcare Act, 2017 — mental-health treatment, transfer and review framework. Article 21, Constitution of India — protection against indefinite/unlawful detention and dignity. Legal Services Authorities Act, 1987 — legal aid and access to justice.

New Rule.	**Rule 95-H: Care by relative or friend and undertaking.** (1) Where any relative or friend applies for delivery of a person detained under BNSS provisions relating to unsoundness of mind, the application shall be placed before the competent authority/Court as required by law. (2) The application shall disclose the applicant's relationship, address, capacity to provide care, treatment plan, willingness to produce the person when required, and undertaking to prevent injury to the person or others. (3) Before recommending or permitting delivery, the Court may call for medical opinion, police verification, social investigation report, victim/witness safety report or Legal Services Authority assistance, as necessary. (4) The undertaking shall include conditions regarding treatment, residence, reporting, production before Court/authority, non-contact with victim/witness where necessary, and intimation of change of address. (5) Breach of undertaking shall be reported to the Court or competent authority for appropriate action. (6) Personal medical details and protected victim/witness identity shall not be disclosed beyond what is legally necessary.	Section 378 BNSS — delivery of person of unsound mind to care of relative or friend, subject to application and undertakings. Mental Healthcare Act, 2017 — treatment and rights of persons with mental illness. Witness Protection Scheme, 2018 / Patna Vulnerable Witness Guidelines — non-contact and victim/witness safety concerns.

New Rule.	**Rule 95-I: Register, confidentiality and digital monitoring of cases involving unsoundness of mind.** (1) Every Court shall maintain, physically or electronically, a register of cases in which proceedings are postponed, closed, resumed, or disposed of on account of unsoundness of mind, mental illness or intellectual disability of the accused. (2) The register shall include: (a) case number and CNR number; (b) name/code of accused; (c) stage of proceeding; (d) date on which issue of mental condition arose; (e) medical examination directed; (f) report received; (g) finding on capacity to enter defence; (h) custody/release/treatment order; (i) date fixed for review; (j) date of resumption or closure; (k) acquittal finding, if any; (l) safe custody / delivery to relative / release order; and (m) compliance status.	BNSS Chapter XXVII, Sections 367 to 378 — complete framework for proceedings involving accused persons of unsound mind. Section 530 BNSS — electronic mode of proceedings and communications. Mental Healthcare Act, 2017 — confidentiality and treatment framework for persons with mental illness. Rights of Persons with Disabilities Act, 2016 — disability-sensitive access to justice. Patna High Court Circular Order No. 06 of 2025 / *CBI v. Mir Usman @ Ara @ Mir Usman Ali* — expedition and avoidance of unnecessary delay. Patna Vulnerable Witness Guidelines / Witness Protection Scheme, 2018 — restricted-access handling of sensitive records.

	(3) The register shall be reviewed periodically by the Presiding Officer to prevent indefinite pendency, delayed medical reports, unnecessary detention or failure to resume proceedings. (4) Medical reports, psychological assessments, disability records and mental-health records shall be kept confidential and accessed only as required by law. (5) In cases involving children, sexual offences, vulnerable witnesses or protected witnesses, the register and related orders shall not disclose protected victim/witness identity. (6) Digital records may be integrated with CIS/e-Courts or other High Court-approved systems with restricted access.	
	CHAPTER XV **COMMISSIONS FOR EXAMINATION OF WITNESSES** **RULES 96 TO 98-H** ***This includes:- updated BNSS reference for commissions; revival of deleted Rule 96 as a general commission rule; Mint, currency, bank note, security printing, stamps and stationery experts; expert/public servant examination by commission; commissions for witnesses outside State/India; audio-video commission evidence; rights of accused/prosecution during commission; vulnerable witness and disability-sensitive commissions; electronic, forensic and scientific expert evidence; chain of custody and secure transmission of articles; costs and expenses of commission; commission register and digital monitoring.***	

Chapter heading:CHAPTER XV — Commissions for Examination of Witnesses — Chapter XL, Cr.P.C.	**Chapter heading: CHAPTER XV — Commissions for Examination of Witnesses** All references to Chapter XL Cr.P.C. shall be substituted with the corresponding provisions of the **Bharatiya Nagarik Suraksha Sanhita, 2023**, relating to commissions for examination of witnesses.	**Commissions for Examination of Witnesses — Chapter XL, Cr.P.C."**BNSS places "Commissions for the Examination of Witnesses" within Chapter XXV, Sections **319 to 336**. Section 530 BNSS — electronic mode of proceedings. *State of Maharashtra v. Dr. Praful B. Desai*, (2003) 4 SCC 601 — evidence may be recorded through video-conferencing; physical presence is not the only form of presence for recording evidence.
Rule 96. Deleted.	**Rule 96: General principles for issuing commission for examination of witnesses.** (1) Where the attendance of a witness cannot be procured without unreasonable delay, expense or inconvenience, or where the witness is exempted, unable to attend due to illness, age, disability, public duty, official engagement, residence outside the local jurisdiction, security reasons or any other sufficient cause, the Court may issue a commission for examination of such witness in accordance with BNSS.	BNSS Sections 319 to 336 — commissions for examination of witnesses. Section 530 BNSS — electronic mode. *State of Maharashtra v. Dr. Praful B. Desai*, (2003) 4 SCC 601 — recording evidence by video-conferencing is permissible where it serves the ends of justice. Patna High Court Draft Amended Guidelines for

	(2) Before issuing commission, the Court shall consider whether the evidence can more conveniently and fairly be recorded through audio-video electronic means. (3) The order issuing commission shall record brief reasons and shall specify: (a) name and designation of witness; (b) address or official location where evidence is to be recorded; (c) matter on which evidence is required; (d) documents/articles/electronic records to be shown to the witness; (e) officer or Court to execute the commission; (f) date or time-limit for execution; (g) right of parties to participate and cross-examine; (h) mode of recording, including physical or audio-video electronic means; and	Recording Evidence of Vulnerable Witnesses, 2025/2026 — live link, audio-video means, special measures, support persons and confidentiality. Rights of Persons with Disabilities Act, 2016 — reasonable accommodation and access to justice.

	(i) confidentiality or protection measures, if any. (4) A commission shall not be issued merely to avoid ordinary production of a material witness where the witness can reasonably attend Court. (5) In cases involving vulnerable witnesses, children, protected witnesses, persons with disability, foreign witnesses, official experts or witnesses under threat, the Court may tailor the commission to ensure fair trial, safety, accessibility and dignity. (6) The commission, deposition, exhibits and report shall be returned to the issuing Court within the time fixed, with an index and authentication.	
Rule 97. When the evidence of a Gazetted Officer of the Mint or the Indian Security Press is required as to the genuineness or spuriousness of a coin or currency note, the Court should ordinarily send the coin or currency	**Rule 97: Examination of experts of Mint, Currency, Bank Note, Security Printing and allied authorities.** (1) Where evidence is required regarding genuineness, spuriousness, counterfeit nature, tampering, alteration, fabrication or security features of any coin, currency note, bank note, government security, security paper, stamp, security certificate or similar article, the Court shall ordinarily send the article for examination to the competent Government Mint, Currency Note Press, Bank Note Press, India	Existing Rule 97, Chapter XV, Patna Criminal Court Rules. BNSS Sections 319 to 336 — commissions for examination of witnesses. BNSS provisions corresponding to expert reports and use of reports of Government scientific experts. Bharatiya Sakshya Adhiniyam, 2023

note to the Master of the Mint or Controller of Paper Currency, as the case may be, under Court seal or by messenger whose evidence can afterwards be taken. The experts at the Mint and Currency Department are much engaged and it is not always possible for one of them to attend on the date fixed by Court. The Court should consider issuing a commission for their examination instead of summoning them.	Security Press, Security Printing Press, Reserve Bank of India authority, Security Printing and Minting Corporation of India Limited unit, forensic science laboratory or any other competent authority notified or recognised for such examination. (2) The article shall be transmitted under Court seal, with proper inventory, specimen seal, case details and specific questions for expert opinion. (3) Transmission shall ordinarily be through special messenger, secure official postal/courier mode, police escort, or other secure mode approved by the Court, so that the chain of custody can be proved. (4) The Court shall maintain a record of: (a) description of article; (b) denomination, number, series, mark or identifying feature; (c) seal used; (d) date and mode of dispatch;	— expert opinion and electronic/digital records. Security Printing and Minting Corporation of India Limited is under the Ministry of Finance and is engaged in production of currency/bank notes, security paper, non-judicial stamp papers, security products and coins; SPMCIL broadly operates through mints, currency printing presses, security printing presses and security paper mill. Information Technology Act, 2000 — electronic records and authentication. Proposed Chapter IX Rule 61-E and Chapter XI Rule 77-D — handling/preservation of electronic and material exhibits.

	(e) person entrusted with carriage; (f) acknowledgment of receipt; and (g) date of receipt of expert report and return of article, if any. (5) Where the expert's physical attendance would cause undue delay, expense or administrative difficulty, the Court may issue a commission for examination of such expert or permit evidence through audio-video electronic means, subject to law. (6) Where the expert report is admissible under law without formal proof, the Court may act in accordance with BSA/BNSS, while preserving the right of parties to seek examination or cross-examination where legally permissible. (7) Where the article is digital, machine-readable, scanned, photographed, chemically tested or accompanied by electronic data, the report shall identify such digital record, file, image, device, hash value or certificate details, where applicable.	

	(8) The original article shall not be returned, destroyed or disposed of until the trial and appeal/revision period are over, unless otherwise directed by law or by a superior Court.	
Rule 98. The instructions contained in Rule 97 shall apply mutatis mutandis to articles sent for examination by a Gazetted Officer of the office of the Controller of Stamps and Stationery and also to examination on commission of such officer.	**Rule 98: Examination of officers relating to stamps, stationery, security paper and government security documents.** (1) The procedure in Rule 97 shall apply, with necessary modifications, where any stamp, stamp paper, non-judicial stamp, court-fee stamp, government stationery, security paper, seal, certificate, printed security document, government form, identity document, security label or allied article is required to be examined by an officer of the competent Stamps and Stationery, Security Printing, Forensic Science, Registration, Revenue, Treasury or other competent Government authority. (2) The Court shall frame precise questions for expert examination, including whether the article is genuine, counterfeit, altered, forged, tampered, reused, chemically erased, mechanically altered, digitally printed or otherwise fabricated. (3) The article shall be sent under Court seal with specimen seal, inventory and chain-of-custody memorandum. (4) Where the expert officer is unable to attend Court without delay or inconvenience, the Court may issue a commission or permit examination by audio-video electronic means. (5) Where examination involves electronic database verification, QR code, serial number,	Existing Rule 98, Chapter XV, Patna Criminal Court Rules. BNSS Sections 319 to 336 — commissions for examination of witnesses. Bharatiya Sakshya Adhiniyam, 2023 — expert opinion, documentary evidence and electronic records. Indian Stamp Act, 1899 / Bihar Stamp law and rules, where applicable. Information Technology Act, 2000 — e-stamps, electronic records and electronic authentication. SPMCIL/security printing framework — security printing presses, non-judicial stamp papers and security products.

	barcode, digital record, e-stamp, e-court fee or online verification system, the report shall identify the electronic source, verification method, date/time of verification and certificate details, where applicable. (6) Sensitive government security material shall be transmitted and stored under restricted access. (7) The report, deposition and examined article shall be returned to Court with seal and acknowledgment unless retention by the expert authority is required by law.	
New Rule.	**Rule 98-A: Commission for examination of public servants, experts and official witnesses.** (1) Where the witness is a public servant, Government scientific expert, forensic expert, medical officer, bank official, telecom nodal officer, cyber expert, custodian of public record, officer of Mint/Currency/Security Press, stamp authority or other official witness, and his attendance in Court is likely to cause undue delay, expense, disruption of public duty or administrative difficulty, the Court may consider issuing commission or permitting examination through audio-video electronic means. (2) The Court shall ensure that the accused and prosecution have adequate opportunity to participate, put questions and cross-examine, subject to law. (3) The order issuing commission shall identify the record, exhibit, report or article to be proved and the precise matter on which evidence is required. (4) Where	BNSS Sections 319 to 336 — commissions for examination of witnesses. BNSS/BSA provisions relating to expert reports and Government scientific experts. *State of Maharashtra v. Dr. Praful B. Desai*, (2003) 4 SCC 601 — evidence may be recorded by video-conferencing. Patna High Court Circular Order No. 06 of 2025 / *CBI v. Mir Usman @ Ara @ Mir Usman Ali*, 2025 INSC 1155 — expedition and avoidance of unnecessary delay in trial/proceedings.

	the witness is an expert whose report is admissible under law, commission shall ordinarily be issued only where examination or cross-examination is necessary for just decision. (5) The commission shall be executed within the time fixed by the Court and delay shall be reported with reasons.	
New Rule.	**Rule 98-B: Commission for witnesses outside India or outside the State.** (1) Where a material witness is outside India, outside the State, or at such distance that attendance would cause unreasonable delay, expense or inconvenience, the Court may issue commission in accordance with BNSS. (2) In the case of a witness outside India, the Court shall follow the procedure prescribed by law, treaty, mutual legal assistance arrangement, Ministry of Home Affairs/Ministry of External Affairs channel, Letter Rogatory process, Consular channel or other lawful mode. (3) The commission order shall specify whether examination shall be by written interrogatories, physical commission, diplomatic/consular arrangement, audio-video electronic means or any other lawful mode. (4) The accused and his advocate shall be given an opportunity to participate and cross-examine in accordance with law and the directions of the Court. (5) Where time-zone, translation, interpreter, identity verification or secure location is required, the order	BNSS Sections 319 to 336 — commissions, including commission for witnesses outside local jurisdiction and outside India. Section 530 BNSS — electronic mode. *State of Maharashtra v. Dr. Praful B. Desai*, (2003) 4 SCC 601 — video-conferencing evidence permissible. Patna Vulnerable Witness Guidelines — live-link/audio-video measures, confidentiality and protected identity. Witness Protection Scheme, 2018 — identity protection in high-risk cases.

	shall make appropriate directions. (6) Sensitive victim/witness identity shall be protected during international or inter-State transmission.	
New Rule.	**Rule 98-C: Execution of commission and rights of parties.** (1) The commission shall be accompanied by the order of appointment, issues or questions to be addressed, list of documents/articles/electronic records to be shown, copies of relevant pleadings/statements, and instructions regarding recording and return of evidence. (2) The parties shall be informed of the date, time, place and mode of execution of commission unless the Court records reasons for restricting such information for safety or confidentiality. (3) The accused shall have the right to be represented by advocate and to cross-examine, subject to law and protective measures. (4) The Commissioner shall record: (a) identity of witness; (b) oath/affirmation; (c) persons present; (d) documents/articles shown; (e) objections raised; (f) answers given; (g) interruptions or technical issues; and (h) certification of deposition. (5) Objections to questions or answers shall be recorded and returned to the issuing Court for decision unless the Commissioner is authorised to decide them. (6) The deposition shall be signed or authenticated by the witness and Commissioner, or digitally authenticated where permitted. (7) The executed commission shall be returned with deposition,	BNSS Sections 319 to 336 — procedure for commissions and return of commission. BNSS Chapter XXV — mode of taking and recording evidence in inquiries and trials. Bharatiya Sakshya Adhiniyam, 2023 — examination, cross-examination, objections and proof. Proposed Chapter IX Rules 54-A, 55-A, 57-A and 58 — electronic deposition, read-over, objections, exact words and interpretation.

	exhibits, objections, report, attendance sheet and certificate of compliance.	
New Rule.	**Rule 98-D: Commission through audio-video electronic means.** (1) Where a commission is executed through audio-video electronic means, the Court or Commissioner shall ensure proper identity verification of the witness and record the location from which the witness is deposing. (2) The order shall specify the platform or approved facility, coordinator, date and time, mode of recording, method of administering oath, document-sharing protocol and safeguards against tutoring or influence. (3) The Court or Commissioner shall record the presence of accused, advocate, prosecutor, interpreter, support person, technical officer and any other person present at the witness location. (4) The witness shall depose from a secure and neutral place, unless otherwise directed for vulnerable witness or witness protection reasons. (5) Documents, electronic records or articles shown to the witness shall be identified in the deposition. (6) Technical interruption, loss of audio/video, objection regarding mode, or any suspicion of prompting shall be recorded. (7) The audio-video recording, where preserved, shall be sealed or stored securely and linked with the case record. (8) In sensitive cases, access to recording shall be restricted by order of Court.	Section 530 BNSS — electronic mode. BNSS Sections 319 to 336 — commissions for examination of witnesses. *State of Maharashtra v. Dr. Praful B. Desai*, (2003) 4 SCC 601 — video-conferencing evidence is legally permissible. Patna Vulnerable Witness Guidelines — audio-video/live-link evidence, special measures and confidentiality. The Use of Electronic Communication and Audio-Video Electronic Means for the District Courts of Bihar Rules, 2025, as referred to in Patna Vulnerable Witness Guidelines.

New Rule.	**Rule 98-E: Commissions involving vulnerable witnesses, children and persons with disability.** (1) Where commission is issued for examination of a child, victim of sexual offence, vulnerable witness, protected witness, person with disability, person with mental illness, elderly witness, witness under threat or witness requiring communication support, the Court shall apply special measures appropriate to the witness. (2) The order may provide for support person, interpreter, translator, special educator, sign-language interpreter, communication assistant, screen, live link, separate waiting space, modified questioning or other reasonable accommodation. (3) Questions shall be simple, non-intimidating and developmentally appropriate where the witness is a child or vulnerable person. (4) The Commissioner shall ensure that the witness is not exposed to intimidation, humiliation, repeated harassment or unnecessary confrontation. (5) Identity, address, school, workplace, shelter home, safe location and contact details of protected/vulnerable witnesses shall not be disclosed in the public record. (6) No adverse inference shall be drawn merely because the witness is examined through special measures or commission.	Patna High Court Draft Amended Guidelines for Recording Evidence of Vulnerable Witnesses, 2025/2026 — special measures, support person, interpreter, translator, special educator, live link and confidentiality. BNSS Sections 319 to 336 — commissions for examination of witnesses. Section 183(6) BNSS — assistance of interpreter/special educator and audio-video recording for persons with disability in statement recording context; relevant by principle for communication support. Rights of Persons with Disabilities Act, 2016 — reasonable accommodation and access to justice. POCSO Act, 2012; SC/ST Act, 1989 — victim/witness protection and participation safeguards.
New Rule.	**Rule 98-F: Commissions relating to electronic, digital, forensic and scientific evidence.** (1) Where commission is issued for examination	BNSS Sections 319 to 336 — commissions for examination of

	of any expert concerning electronic, digital, cyber, forensic, DNA, fingerprint, handwriting, ballistic, chemical, toxicological, narcotic, medical, telecom, banking or scientific evidence, the order shall identify the report, exhibit, data, device, sample or material to be explained. (2) The Commissioner or Court shall ensure that the expert identifies: (a) exhibit number; (b) sample/device/material examined; (c) seal condition; (d) method of examination; (e) report number and date; (f) chain of custody; (g) certificate details where electronic record is involved; (h) hash value or forensic image details, where available; and (i) limitations of opinion, if any. (3) Where the expert is examined by audio-video electronic means, the report and exhibits shown shall be authenticated and marked clearly. (4) Original digital devices, forensic images, samples and sensitive records shall not be copied or transmitted except under Court order and with safeguards. (5) If the evidence concerns narcotics, arms, explosives, biological samples, sexual offence material or child-related material, special statute and confidentiality requirements shall be followed.	witnesses. Bharatiya Sakshya Adhiniyam, 2023 — expert evidence and electronic records. Information Technology Act, 2000 — electronic records and digital authentication. Maharashtra eSakshya Management Rules, 2025 — comparative reference on hash value, timestamp, secure storage and electronic evidence management. NDPS Act, 1985 — special handling of narcotic material and samples. Patna Vulnerable Witness Guidelines — restricted handling of sensitive audio-video/electronic material.
New Rule.	**Rule 98-G: Costs, expenses, custody of articles and return of commission.** (1) The order issuing commission shall specify, where necessary, the expenses of commission, travel, expert fee, transmission of articles, interpreter/translator charges, technical facility charges and	BNSS Sections 319 to 336 — commissions, costs and return of commission. Legal Services Authorities Act, 1987 and Article 39-A

	responsibility for deposit/payment. (2) Where the commission is issued in prosecution of an indigent accused, legal aid matter, child/vulnerable witness matter or case involving public justice, expenses shall be dealt with in accordance with law, Government rules or Court directions. (3) Articles sent for examination shall remain in custody of the Court unless lawfully transmitted to expert authority; each transfer shall be recorded. (4) On completion, the expert authority or Commissioner shall return the article, report and deposition under seal, unless retention is authorised by law or Court order. (5) The Court shall verify seals and record receipt. (6) If any article is lost, damaged, tampered, unsealed or not returned, the matter shall be immediately reported to the Presiding Officer and appropriate inquiry may be ordered. (7) The commission record shall be paginated, indexed and made part of the judicial record.	— legal aid and access to justice. Bharatiya Sakshya Adhiniyam, 2023 — chain of custody and proof of exhibits. Proposed Chapter XI Rule 77-D — preservation, disposal and transmission of property/material objects/electronic records after judgment.
New Rule.	**Rule 98-H: Commission register and monitoring.** (1) Every Criminal Court shall maintain a Commission Register physically or electronically. (2) The register shall contain: (a) case number and CNR number; (b) name and designation of witness/expert; (c) reason for commission; (d) date of order; (e) Commissioner/Court/authority appointed; (f) articles/documents/electronic records sent; (g) date and mode of dispatch; (h) seal and inventory details; (i) date fixed for	BNSS Sections 319 to 336 — commissions for examination of witnesses. Section 530 BNSS — electronic mode. Patna High Court Circular Order No. 06 of 2025 / *CBI v. Mir Usman @ Ara @ Mir Usman Ali*, 2025 INSC 1155 — expedition and

	execution; (j) date of receipt of executed commission; (k) delay, if any; (l) expenses; (m) whether vulnerable/protected witness safeguards applied; and (n) final compliance. (3) Pending commissions shall be reviewed periodically by the Presiding Officer to prevent delay in trial. (4) Commissions involving accused in custody, child/vulnerable witnesses, sexual offences, POCSO, SC/ST Act, NDPS, electronic evidence or foreign witnesses shall be marked for priority monitoring. (5) Records containing protected identity or sensitive material shall be maintained with restricted access. (6) The register may be integrated with CIS/e-Courts or other High Court-approved digital systems.	avoidance of unnecessary delay in criminal proceedings. Patna Vulnerable Witness Guidelines / Witness Protection Scheme, 2018 — restricted access and protected identity safeguards.
	CHAPTER XVI **SPECIAL RULES OF EVIDENCE** **RULES 99 TO 100-H** ***This includes :- conversion from Cr.P.C. Chapter XXIII to BNSS/BSA framework; evidence in absence of accused under Section 335 BNSS; strict safeguards before using such evidence; separate trial / absconding accused monitoring; trial in absentia of proclaimed offenders under Section 356 BNSS; State-funded defence counsel; audio-video recording and preservation; public servant / expert / police officer evidence under Section 336 BNSS; formal***	

	proof and admission/denial of documents; special registers and quarterly review; protection of vulnerable/protected witness identity; digital record and CIS/e-Courts monitoring.	
Chapter heading:CHAPTER XVI — Special Rules of Evidence [Chapter XXIII], Cr.P.C.	**Chapter heading: CHAPTER XVI — Special Rules of Evidence**All references to Chapter XXIII Cr.P.C. shall be substituted with the corresponding provisions of the **Bharatiya Nagarik Suraksha Sanhita, 2023**, the **Bharatiya Sakshya Adhiniyam, 2023**, and other applicable special laws governing special modes of proof, recording of evidence, evidence in absence of accused, trial in absentia, expert/public servant evidence, electronic records and formal proof.	**"Special Rules of Evidence [Chapter XXIII], Cr.P.C."** BNSS Chapter XXV contains provisions on evidence in inquiries and trials, including evidence in absence of accused and evidence of public servants/experts/police officers. Section 335 BNSS deals with record of evidence in absence of accused; Section 336 BNSS deals with evidence of public servants, experts and police officers in certain cases. Section 356 BNSS introduces inquiry, trial and judgment in absentia for proclaimed offenders. Bharatiya Sakshya Adhiniyam, 2023 — provisions relating to relevancy, proof, electronic/digital records, expert

		evidence, public documents and formal proof.
Rule 99. Deleted.	**Rule 99: General application of special rules of evidence.** (1) The provisions of this Chapter shall apply to special modes of recording, preserving, proving or using evidence in criminal proceedings, including evidence recorded in absence of accused, trial in absentia, evidence of public servants/experts/police officers, formal proof by affidavit, electronic/digital evidence, scientific evidence, protected witness evidence and evidence under special statutes. (2) The Court shall ensure that special rules of evidence are used only where the statutory conditions are satisfied and reasons are recorded wherever required by law. (3) Use of a special rule of evidence shall not dispense with the right of fair trial, right of cross-examination, right to legal representation, protection against prejudice, or any safeguard specifically provided by BNSS, BSA, Constitution, special law or binding judicial precedent. (4) Where the evidence relates to children, victims of sexual offences, vulnerable witnesses, protected witnesses, persons with disability, persons under witness protection, or sensitive medical/electronic material, the Court shall ensure confidentiality, redaction and restricted access. (5) Where evidence is recorded or preserved through audio-video electronic means, the Court shall record	Section 335 BNSS — record of evidence in absence of accused. Section 356 BNSS — trial in absentia of proclaimed offender and audio-video recording of depositions as far as practicable. Section 336 BNSS — evidence of public servants, experts and police officers in certain cases, including successor officer deposition and audio-video mode. Section 530 BNSS — electronic mode. Bharatiya Sakshya Adhiniyam, 2023 — electronic records, expert evidence and formal proof. Patna High Court Guidelines for Recording Evidence of Vulnerable Witnesses — confidentiality, identity protection, special measures and audio-video evidence safeguards. Witness

	the mode of recording, identity verification, persons present, date/time, interruptions if any, and manner of preservation. (6) The Court shall maintain appropriate registers or electronic records for special evidence proceedings, including records of absconding accused/proclaimed offenders and evidence recorded in their absence.	Protection Scheme, 2018 — identity protection and confidentiality.
Rule 100. As soon as evidence under Section 299 Cr.P.C. has been recorded or the trial has been separated, particulars thereof shall be noted in Register Form No. (R) 5-A maintained in Court. Intimation with necessary details shall be sent by the Court concerned to the Subdivisional Judicial Magistrate and Sessions Judge for being noted in registers maintained in their offices. The Subdivisional Magistrate shall call for	**Rule 100: Evidence in absence of accused, separation of trial and monitoring of absconding accused.** (1) Where evidence is recorded in absence of an accused under Section 335 BNSS, or where the trial is separated because an accused is absconding or cannot be secured, the Court shall immediately enter particulars in the prescribed register, including its electronic equivalent. (2) Before recording evidence under Section 335 BNSS, the Court shall record a reasoned order that: (a) the accused has absconded; (b) there is no immediate prospect of arresting him; (c) the Court is competent to try or commit the case; and (d) recording evidence is necessary in the interest of justice. (3) The deposition so recorded shall be properly authenticated and preserved, and may be used against the accused after arrest or appearance only in accordance with Section 335 BNSS and BSA, including the statutory conditions regarding unavailability of the witness. (4) Where trial is separated, the order shall specify: (a) name and rank of accused; (b) stage of proceeding; (c) steps taken to secure presence; (d)	Existing Rule 100, Chapter XVI, Patna Criminal Court Rules. Section 335 BNSS — evidence in absence of accused may be recorded only when it is proved that the accused absconded and there is no immediate prospect of arrest; deposition may later be used only if statutory conditions such as death/incapacity/unavailability of witness or unreasonable delay/expense/inconvenience are satisfied. Supreme Court authorities on old Section 299 Cr.P.C. / Section 335 BNSS: *Nirmal Singh v. State of Haryana*, (2000) 4 SCC 41; *Jayendra Vishnu Thakur v. State of*

report from the police concerned as to action taken and forward a copy with comments to the Sessions Judge at the end of each quarter. This report, together with the register in Form (R) 5-A, shall be put up before the Sessions Judge every three months for necessary orders.	warrants/proclamation/attachment issued, if any; (e) witnesses whose evidence is to be preserved; and (f) next monitoring date. (5) Intimation of recording of evidence under Section 335 BNSS or separation of trial shall be sent to the Chief Judicial Magistrate/Subdivisional Judicial Magistrate, Sessions Judge, prosecution and police station/investigating agency concerned for entry in their respective registers and for further action to secure the accused. (6) The police/investigating agency shall submit a report regarding action taken to secure the absconding accused, execution of warrants, proclamation, attachment, tracking of address, and any steps for extradition/deportation/inter-State coordination, where applicable. (7) The Chief Judicial Magistrate/Subdivisional Judicial Magistrate shall call for police report at least once every quarter and forward the report with comments to the Sessions Judge. (8) The register and quarterly report shall be placed before the Sessions Judge every three months for necessary administrative or judicial directions. (9) Evidence recorded in absence of accused shall, as far as practicable, be recorded through audio-video electronic means in addition to written deposition, and the recording shall be preserved in the manner directed by the Court. (10) In cases involving children, sexual offences, vulnerable witnesses, protected witnesses or witness protection orders, the deposition and	*Maharashtra*, (2009) 7 SCC 104; *Sukhpal Singh Khaira v. State of Punjab*, 2024 SCC OnLine SC 800 — conditions precedent must be strictly established before evidence recorded in absence can be used. Section 356 BNSS — for proclaimed offender trial in absentia, BNSS separately requires safeguards including consecutive warrants, newspaper publication, intimation to relative/friend, affixation, State-funded advocate and audio-video recording as far as practicable. Section 530 BNSS — electronic mode. Patna High Court Circular Order No. 06 of 2025 / *CBI v. Mir Usman @ Ara @ Mir Usman Ali*, 2025 INSC 1155 — expeditious trial and avoidance of delay. Patna Vulnerable Witness Guidelines / Witness Protection Scheme, 2018 — sealed or restricted

	audio-video record shall be sealed or maintained with restricted access. (11) When the absconding accused is arrested, appears, or is produced, the Court shall place before him the record of evidence taken in his absence and pass appropriate orders regarding further examination, cross-examination, recall, or use of prior deposition in accordance with law.	handling of vulnerable/protected witness evidence.
New Rule.	**Rule 100-A: Trial in absentia of proclaimed offender.** (1) Where a person declared as a proclaimed offender has absconded to evade trial and there is no immediate prospect of arresting him, the Court may proceed in accordance with Section 356 BNSS only after strict compliance with statutory safeguards. (2) Before proceeding, the Court shall record a reasoned order that the accused is a proclaimed offender, has absconded to evade trial, and there is no immediate prospect of arrest. (3) The Court shall not commence trial in absentia unless the statutory period after framing of charge has elapsed and the following safeguards have been verified and recorded: (a) issuance of two consecutive warrants of arrest with the required interval; (b) publication in a national or local daily newspaper circulating at the last known place of residence; (c) information to relative or friend, if any; (d) affixation at the house/homestead and display at the police station of last known address; and (e) appointment of State-funded defence counsel if the	Section 356 BNSS — inquiry, trial or judgment in absentia of proclaimed offender; includes waiver/deemed proceeding, 90-day period after framing charge, consecutive warrants, publication, intimation to relative/friend, affixation/display, State-funded defence advocate, use of evidence, audio-video recording, continuation after voluntary absence, and appeal restrictions. Section 530 BNSS — electronic mode. Article 21, Constitution of India — fair trial safeguards. Legal Services Authorities Act, 1987 and Article 39-A — State-

	proclaimed offender is unrepresented. (4) The Court shall ensure that the appointed advocate has access to the record, reasonable preparation time, and opportunity to cross-examine witnesses. (5) Depositions and examination of witnesses shall, as far as practicable, be recorded by audio-video electronic means and preserved securely. (6) If the proclaimed offender is arrested, appears, or is produced during trial, the Court may, in the interest of justice, allow him to examine or cross-examine evidence recorded in his absence, as permitted by law. (7) The judgment and sentence, if any, shall clearly state that the trial proceeded under Section 356 BNSS and shall record compliance with each statutory safeguard. (8) No public record shall disclose protected victim/witness identity unnecessarily.	funded legal aid/defence. Patna Vulnerable Witness Guidelines / Witness Protection Scheme, 2018 — identity protection, safe testimony and restricted access.
New Rule.	**Rule 100-B: Register and monitoring of proclaimed offender trial in absentia.** (1) Every Court shall maintain a separate physical or electronic register for cases in which proceedings are initiated or conducted under Section 356 BNSS. (2) The register shall contain: (a) case number and CNR number; (b) name/rank of proclaimed offender; (c) date of proclamation order; (d) date of framing charge; (e) date of first and second warrants with interval; (f) date and details of newspaper publication; (g) date of intimation to relative/friend; (h) date of affixation/display; (i) name of State-funded advocate appointed; (j)	Section 356 BNSS — mandatory procedural safeguards and trial in absentia of proclaimed offender. Existing Rule 100, Patna Criminal Court Rules — Register Form (R) 5-A and quarterly police/Sessions Judge monitoring for Section 299 Cr.P.C. evidence and separated trials. Patna High Court Circular Order No. 06 of

	dates of evidence; (k) whether evidence was audio-video recorded; (l) date of judgment; (m) arrest/appearance status; (n) appeal/surrender status; and (o) compliance with protection/redaction directions. (3) The register shall be reviewed monthly by the Presiding Officer and quarterly by the Sessions Judge or Chief Judicial Magistrate, as applicable. (4) The police/investigating agency shall submit periodic reports regarding efforts to arrest the proclaimed offender, including inter-State, immigration, extradition, passport, property attachment and surveillance steps, where applicable. (5) Where the accused appears or is arrested, the entry shall be updated immediately and the Court shall pass orders regarding further proceedings.	2025 / *CBI v. Mir Usman @ Ara @ Mir Usman Ali*— trial expedition and monitoring to prevent avoidable delay. Section 530 BNSS — electronic mode and digital records.
New Rule.	**Rule 100-C: Safeguards before using evidence recorded in absence of accused.** (1) Evidence recorded under Section 335 BNSS shall not be mechanically read against the accused after his arrest, appearance or production. (2) Before such deposition is used, the Court shall record whether the statutory conditions for use are satisfied, namely whether the deponent: (a) is dead; (b) is incapable of giving evidence; (c) cannot be found; or (d) cannot be produced without unreasonable delay, expense or inconvenience. (3) The Court shall give the accused and prosecution an opportunity to address whether the previous deposition may be used. (4) Where the witness is available, the ordinary rule shall	Section 335 BNSS — deposition recorded in absence may be given in evidence only if statutory unavailability conditions are met. *Nirmal Singh v. State of Haryana*, (2000) 4 SCC 41; *Jayendra Vishnu Thakur v. State of Maharashtra*, (2009) 7 SCC 104; *Sukhpal Singh Khaira v. State of Punjab*, 2024 SCC OnLine SC 800 — strict conditions precedent for

	be to examine the witness in the presence of the accused, subject to vulnerable witness or witness protection measures. (5) Where the Court permits use of prior deposition, it shall identify the deposition, date, witness, manner of recording, authentication and any audio-video record. (6) The judgment shall specifically state the basis on which such evidence was admitted and relied upon. (7) If the deposition was recorded in a case involving vulnerable/protected witness, the Court shall balance the accused's fair-trial rights with identity protection and safety measures.	use of Section 299 Cr.P.C. evidence. Bharatiya Sakshya Adhiniyam, 2023 — relevancy and use of previous testimony/evidence subject to statutory safeguards. Patna Vulnerable Witness Guidelines / Witness Protection Scheme, 2018 — balancing fair-trial rights with witness safety and confidentiality.
New Rule.	**Rule 100-D: Evidence of public servants, experts and police officers in certain cases.** (1) Where any document or report prepared by a public servant, scientific expert, medical officer, police officer or other official is to be used in evidence, and the original author is transferred, retired, dead, cannot be found, incapable of deposition or securing his presence is likely to delay the proceeding, the Court may proceed in accordance with Section 336 BNSS. (2) The Court shall secure the presence of the successor officer holding the relevant post at the time of deposition, where required by Section 336 BNSS. (3) No public servant, scientific expert, medical officer or police officer shall be called to appear merely as a matter of routine where the report is not disputed by any party and law permits proof without such appearance.	Section 336 BNSS — evidence of public servants, experts and police officers in certain cases; successor officer deposition; no routine calling unless report is disputed; deposition through audio-video electronic means. BNSS provisions on reports of Government scientific experts and formal proof of documents. Bharatiya Sakshya Adhiniyam, 2023 — expert opinion, documentary evidence and electronic records. Section 530 BNSS

	(4) Where a party disputes the report or seeks examination/cross-examination, the Court shall pass an appropriate order having regard to relevance, necessity, delay, prejudice and statutory requirements. (5) Deposition of successor public servant, expert or officer may be permitted through audio-video electronic means. (6) The deposition shall identify the document/report, date, office, custody, mode of preparation, official record basis, and limitation of successor officer's knowledge, if any. (7) In medical, forensic, cyber, DNA, narcotic, ballistic, electronic, currency, stamp or scientific evidence, the Court shall ensure that the report/exhibit is properly identified and linked to the case record.	— electronic mode. Patna High Court Circular Order No. 06 of 2025 / *CBI v. Mir Usman @ Ara @ Mir Usman Ali* — reducing delay in trial by avoiding unnecessary adjournments and witness inconvenience.
New Rule.	**Rule 100-E: Formal proof by affidavit and admission/denial of documents.** (1) Where BNSS or BSA permits proof of formal matters by affidavit or dispenses with formal proof of certain documents, the Court shall encourage use of such provisions to avoid unnecessary summoning of formal witnesses. (2) The Court may call upon parties to admit or deny genuineness of documents within the period prescribed by BNSS or as directed by the Court. (3) If a document is admitted, the Court may mark it in evidence according to law without summoning formal proof witness, unless proof of contents or authorship is still in dispute. (4) If a document is disputed, the Court	BNSS provisions relating to no formal proof of certain documents, affidavits in proof of public servant conduct, evidence of formal character on affidavit, and admission/denial of documents. The BNSS arrangement includes provisions on no formal proof of certain documents, affidavit in proof of conduct of public servants, evidence of formal character on affidavit, and

	shall identify the precise nature of dispute, such as genuineness, authorship, contents, custody, admissibility, certificate, seal, signature, electronic origin or chain of custody. (5) Affidavits shall separately state facts based on personal knowledge and facts based on information/belief, with source disclosed. (6) Scandalous, irrelevant or unnecessary matter in affidavits may be struck out or directed to be amended. (7) In electronic records, admission of printout or copy shall not dispense with statutory certificate or proof required by BSA unless law so permits.	authorities before whom affidavits may be sworn. Bharatiya Sakshya Adhiniyam, 2023 — documentary evidence, public documents, electronic records and certificates. Section 336 BNSS — no routine appearance of public servant/scientific expert/medical officer unless report is disputed. Patna High Court Circular Order No. 06 of 2025 / *Mir Usman* — expeditious conduct and avoidance of unnecessary delay.
New Rule.	**Rule 100-F: Audio-video preservation of special evidence.** (1) Where evidence is recorded under Section 335 BNSS, Section 356 BNSS, Section 336 BNSS or any other special procedure permitting evidence in absence, successor-officer evidence, vulnerable witness evidence, commission evidence or remote evidence, the Court shall consider recording by audio-video electronic means where practicable. (2) The record shall mention: (a) date and time; (b) case number and CNR number; (c) witness name/code and number; (d) mode/platform/device; (e) identity verification; (f) persons present; (g)	Section 356(5) BNSS — in trial in absentia, deposition and examination of witnesses may, as far as practicable, be recorded by audio-video electronic means, preferably mobile phone, and kept as directed by Court. Section 336 BNSS — successor public servant/expert/officer deposition may be allowed through audio-video

	location of witness; (h) interruptions or technical defects; and (i) storage/sealing details. (3) The audio-video record shall be preserved securely and linked with the deposition and case record. (4) Access, inspection, copying or transmission of audio-video records shall be regulated by order of Court. (5) In sexual offence, POCSO, vulnerable witness, protected witness or witness protection cases, audio-video records shall be treated as sensitive material and maintained with restricted access. (6) A transcript or deposition shall be prepared, read over, corrected and authenticated according to law.	electronic means. Section 530 BNSS — electronic mode. Patna Vulnerable Witness Guidelines — audio-video/live-link evidence and restricted access. The Use of Electronic Communication and Audio-Video Electronic Means for the District Courts of Bihar Rules, 2025, as referred in Patna Vulnerable Witness Guidelines.
New Rule.	**Rule 100-G: Protection of victim and witness identity in special evidence proceedings.** (1) In every special evidence proceeding under this Chapter, the Court shall ensure that protected victim/witness identity is not disclosed in public records, registers, deposition headers, audio-video file names, forwarding letters or electronic uploads. (2) Protected identity includes name, parentage, address, school, workplace, shelter home, safe location, contact number, photograph, family details or any other particulars likely to identify the protected person. (3) Where evidence is recorded in absence of the accused and the witness is vulnerable or protected, the Court may use witness code, initials, pseudonym, sealed identity sheet or restricted-access record.	Patna High Court Guidelines for Recording Evidence of Vulnerable Witnesses — identity protection, confidentiality, special measures and restricted access. Witness Protection Scheme, 2018 — protection of identity and confidential handling of witness material. Section 398 BNSS — witness protection scheme. POCSO Act, 2012 — child victim identity protection. SC/ST Act, 1989 — victim/witness

	(4) If the accused later appears and seeks access for cross-examination or challenge, the Court shall balance fair-trial rights with protection of identity, safety, dignity and special-law restrictions. (5) No audio-video record, transcript, medical record, sexual offence material, child-related material or witness protection record shall be copied, circulated or uploaded except by order of Court. (6) Breach of confidentiality shall be reported to the Presiding Officer, District Judge or High Court for appropriate action.	rights and protection framework. Section 356 BNSS and Section 335 BNSS — special situations where evidence may be recorded or used despite accused's absence; fair-trial safeguards must be balanced with witness safety.
New Rule.	**Rule 100-H: Register and digital monitoring of special evidence cases.** (1) Every Court shall maintain a Special Evidence Register, physically or electronically, for proceedings under Sections 335, 336 and 356 BNSS and other special evidence provisions requiring monitoring. (2) The register shall include: (a) case number and CNR number; (b) accused name/rank; (c) whether accused is absconding/proclaimed offender/trial separated; (d) date of order under Section 335/356/336 BNSS; (e) reasons recorded; (f) witnesses examined; (g) whether audio-video recording made; (h) State-funded advocate appointed, where required; (i) police reports on efforts to secure accused; (j) quarterly review date; (k) arrest/appearance status; (l) whether prior deposition used after arrest/appearance; (m) protected-record flag; and (n) final compliance/result. (3) The register shall be	Existing Rule 100 requires Register Form (R) 5-A, intimation to SDJM and Sessions Judge, quarterly police report and quarterly placement before Sessions Judge. Section 335 BNSS — evidence in absence of accused. Section 356 BNSS — trial in absentia of proclaimed offender, State-funded counsel and audio-video recording. Section 336 BNSS — successor officer/public servant/expert evidence and audio-video deposition. Section 530 BNSS — electronic mode and

	reviewed monthly by the Presiding Officer and quarterly by the Chief Judicial Magistrate/Sessions Judge, as applicable. (4) Delay in police action, non-execution of warrants, non-appointment of defence counsel, non-recording of audio-video evidence or non-production of records shall be brought to the notice of the Sessions Judge. (5) The register may be integrated with CIS/e-Courts or other High Court-approved digital systems. (6) Entries involving sexual offences, children, vulnerable witnesses or protected witnesses shall be maintained with restricted access.	digital record. Patna High Court Circular Order No. 06 of 2025 / *CBI v. Mir Usman @ Ara @ Mir Usman Ali*, 2025 INSC 1155 — expedition and monitoring of criminal proceedings. Patna Vulnerable Witness Guidelines / Witness Protection Scheme, 2018 — restricted access and confidentiality.
	CHAPTER XVII **DISPOSAL OF PROPERTY** **RULES 101 TO 101-K** **This includes :-** counterfeit coin/currency/security printing/stamp material; implements of counterfeiting including digital tools; interim custody and final disposal of case property; inventory, photography, videography and certification; disposal orders at conclusion of trial and appeal against such orders; seized/unclaimed property procedure; perishable, hazardous, bulky and depreciating property; vehicles and insurer/owner claims; electronic devices, digital records and cyber	

	property; proceeds of crime attachment, forfeiture, restoration and victim distribution under BNSS Section 107; restoration of immovable property; destruction of prohibited/libellous/obscene/identity-sensitive material; property register, malkhana linkage and digital monitoring; compensation/restitution and victim-sensitive disbursement.	
Chapter heading:CHAPTER XVII — Disposal of Property [Chapter XXIV], Cr.P.C.	**Chapter heading: CHAPTER XVII — Disposal, Custody, Preservation, Restoration and Forfeiture of Property** All references to Chapter XXIV Cr.P.C. shall be substituted with the corresponding provisions of the **Bharatiya Nagarik Suraksha Sanhita, 2023**, especially Chapter XXXVI relating to disposal of property and Section 107 relating to attachment, forfeiture or restoration of property derived from criminal activity.	**"Disposal of Property [Chapter XXIV], Cr.P.C."**BNSS Chapter XXXVI contains Sections 497 to 505 on disposal of property. Section 107 BNSS provides for attachment, forfeiture or restoration of property derived or obtained from criminal activity.
Rule 101. (a) Criminal Courts, in making orders under Sections 452, 457 or 458 Cr.P.C. for disposal of counterfeit coin, should consider whether the coin should be forwarded to the nearest Treasury or Sub-	**Rule 101: Disposal of counterfeit coin, counterfeit currency, security documents and instruments of counterfeiting.** (1) Where any counterfeit coin, counterfeit currency note, bank note, forged government security, security paper, stamp, seal, die, mould, plate, printing block, security-thread material, digital template, scanner, printer, device, software, machine, instrument or other implement used or suspected to have been used for counterfeiting is produced before the Court or forms part of the case property, the Court shall pass a	Existing Rule 101, Chapter XVII, Patna Criminal Court Rules. BNSS Sections 497 to 505 — custody and disposal of property pending trial and at conclusion of trial, appeal against disposal orders, seizure by police, procedure where no claimant appears, and sale of perishable property.

Treasury Officer with directions to deal with it in the manner prescribed by Government of India, Department of Finance and Commerce rules. (b) The same instructions apply to implements such as dies, moulds etc. used in coining. When such coins or implements are forwarded to Treasury Officer, copy of judgment shall also be forwarded.	specific order regarding its custody, preservation, transmission, destruction, confiscation or other lawful disposal. (2) Before final disposal, the Court shall ensure that the article has been sufficiently identified, photographed or digitally imaged, inventoried and, where necessary, examined by the competent Mint, Currency Note Press, Bank Note Press, India Security Press, Security Printing authority, Reserve Bank of India authority, Forensic Science Laboratory, Treasury/Sub-Treasury Officer or other competent authority. (3) Counterfeit coins/currency or implements of counterfeiting shall not ordinarily be returned to any private person. They may be forwarded under Court seal to the nearest Treasury/Sub-Treasury Officer, Reserve Bank of India authority, Mint/Security Printing authority or other competent authority, with direction for disposal/destruction/retention in accordance with law and Government instructions. (4) When such articles are forwarded, a copy of the judgment, final order, inventory, specimen seal and forwarding memo shall be sent to the authority concerned. (5) The forwarding memo shall record the case number, CNR number, police station case number, exhibit number, description, quantity, denomination, serial number/series number, seal, date of dispatch, mode of dispatch and name of messenger/officer. (6) Acknowledgment of receipt and final disposal/destruction certificate,	Bharatiya Nyaya Sanhita, 2023 — offences relating to counterfeit coin, currency notes, bank notes, government stamps, possession of instruments/material for counterfeiting, and allied offences. Bharatiya Sakshya Adhiniyam, 2023 — expert opinion, documentary evidence and electronic/digital records. Information Technology Act, 2000 — electronic records and digital authentication. Proposed Chapter XV Rules 97 and 98 — examination of Mint/Currency/Security Printing/Stamps authorities.

	wherever issued, shall be preserved in the case record. (7) Where the counterfeit material includes electronic/digital data, scanned images, printing files, software, digital templates or device-generated records, the Court shall preserve forensic image/hash value/certificate and pass specific directions for deletion, secure storage or destruction, subject to appellate requirements. (8) No disposal shall be made until appeal/revision period expires, or where appeal/revision is filed, until final disposal or further orders, unless retention is unnecessary and lawful certified inventory/photographs/forensic record have been prepared.	
New Rule.	**Rule 101-A: General order for custody and disposal of property pending trial.** (1) Whenever any property, document, article, vehicle, animal, currency, weapon, electronic device, biological sample, narcotic substance, valuable security or other material object is produced before the Court, or is in Court custody or police custody subject to Court order, the Court shall pass appropriate orders for custody, preservation, production, inspection, interim release or disposal in accordance with BNSS and special law. (2) Every order shall identify the property by exhibit/property number, description, quantity, seal, location, estimated value, ownership claim if any, and person/authority in whose custody it is kept. (3) The Court shall	BNSS Section 497 — order for custody and disposal of property pending trial in certain cases. BNSS Sections 498 to 505 — disposal at conclusion of trial, appeal, restoration, seizure and perishable property. *Sunderbhai Ambalal Desai v. State of Gujarat*, (2002) 10 SCC 283 — Supreme Court directed prompt and pragmatic release/disposal of case property, vehicles and articles to avoid

	consider whether the property is required for evidence, appeal, revision, forensic examination, identification, confiscation, restitution, compensation, destruction or return. (4) Where interim custody is granted, adequate bond, undertaking, photographs, panchnama/inventory, prohibition against alienation, production condition, and identity documents may be required. (5) Perishable, hazardous, rapidly depreciating, bulky, costly-to-maintain or space-consuming property may be dealt with expeditiously under law, after preparing inventory, photographs/video and necessary certification. (6) Property shall not be returned, destroyed, auctioned, deleted, overwritten or disposed of in a manner that prejudices trial, appeal, revision, victim compensation, confiscation, or rights of third-party claimants. (7) In all cases, the order shall protect sensitive victim/witness identity and confidential material.	deterioration and unnecessary custody. Patna Vulnerable Witness Guidelines / Witness Protection Scheme, 2018 — confidentiality where property records disclose protected identity.
New Rule.	**Rule 101-B: Inventory, photography, videography and certification before release or disposal.** (1) Before returning, auctioning, destroying, releasing, confiscating or otherwise disposing of material property, the Court shall ensure preparation of a proper inventory. (2) The inventory shall include description, dimensions/weight, quantity, make/model, serial number, IMEI/chassis/engine number, denomination, seal number, exhibit	BNSS Sections 497 to 505 — property custody/disposal framework. *Sunderbhai Ambalal Desai v. State of Gujarat*, (2002) 10 SCC 283 — inventory, photographs and prompt disposal/release of property. *General Insurance Council*

	number, condition, location and photographs/video, as applicable. (3) The Court may direct photography, videography, digital imaging or scanning of the property and may certify such inventory/photographs/video for use during trial, appeal or revision. (4) Where the property is electronic or digital, the inventory shall include device type, make/model, serial number, IMEI/MAC address, storage capacity, SIM/memory card details, forensic image/hash value, seal and chain-of-custody particulars, where available. (5) Where the property is jewellery, currency, valuable security, antique, firearm, narcotic sample, biological sample or hazardous article, special safeguards prescribed by law or High Court/Government directions shall be followed. (6) The certified inventory, photographs, video record and disposal order shall form part of the judicial record and may be used as secondary/supplementary evidence as permitted by law.	*v. State of A.P.*, (2010) 6 SCC 768 — prompt release/disposal of seized vehicles and insurer-related claims. Bharatiya Sakshya Adhiniyam, 2023 — documentary/electronic proof and use of certified records. Maharashtra eSakshya Management Rules, 2025 — comparative reference for hash value, secure storage and electronic evidence management.
New Rule.	**Rule 101-C: Disposal of property at conclusion of trial and appeal against disposal order.** (1) At the conclusion of every trial or proceeding, the Court shall pass a specific order regarding every property, document, article, material object, electronic device, digital record, currency, vehicle, weapon, sample or seized item remaining on record or in custody. (2) The order shall specify whether the property is to be returned, confiscated, destroyed, auctioned, retained pending	BNSS Section 498 — order for disposal of property at conclusion of trial. BNSS Section 500 — appeal against orders under Sections 498 or 499; appellate Court may stay, modify, alter or annul disposal order. Existing Chapter XI/Appeal-related proposed

	appeal, transmitted to another authority, restored to possession, used for compensation/restitution, or otherwise dealt with. (3) Where rival claims exist, the Court shall hear the claimant, accused, prosecution, victim and any other affected person before passing final disposal order. (4) Where the property is required in appeal/revision/reference, or appeal period has not expired, the Court shall direct preservation or conditional release in a manner that does not defeat appellate scrutiny. (5) The disposal order shall mention the right of appeal against such order wherever provided by law. (6) If an appeal against the disposal order is filed or stay is granted, disposal shall remain subject to the appellate order. (7) The property register and CIS/electronic record shall be updated after compliance.	rules on preservation of exhibits pending appeal. Patna High Court Circular Order No. 06 of 2025 / *CBI v. Mir Usman @ Ara @ Mir Usman Ali* — expedition and avoidance of pending-property delay.
New Rule.	**Rule 101-D: Seized property, unclaimed property and no-claimant procedure.** (1) Where property is seized by police and reported to the Magistrate, the Court shall require clear description of property, seizure memo, place of seizure, person from whom seized, suspected ownership, offence connection, and custody location. (2) Where no claimant appears or ownership is uncertain, notice shall be issued in the manner required by law, including publication where necessary. (3) If no claimant establishes entitlement within the statutory period, the Court may pass order for disposal, auction, confiscation, deposit in	BNSS Section 503 — procedure by police upon seizure of property. BNSS Section 504 — procedure where no claimant appears within six months. BNSS Section 499 — payment to innocent purchaser of money found on accused. BNSS Section 500 — appeal against disposal orders under Sections 498/499.

	treasury, return to lawful custodian or other lawful course. (4) Where property is stolen or suspected stolen, the Court shall consider restitution to the lawful owner after verification, subject to bond and production condition where necessary. (5) Where property is cash, bank balance, digital wallet amount, jewellery, valuable security or financial instrument, appropriate verification shall be made before release. (6) If property is subject to any other Court order, attachment, confiscation, PMLA/NDPS/special statute proceeding, bank lien, hypothecation or third-party claim, the Court shall record the same and proceed subject to law.	
New Rule.	**Rule 101-E: Perishable, hazardous, depreciating, bulky and costly-to-maintain property.** (1) Where property is subject to speedy or natural decay, hazardous, inflammable, explosive, narcotic, toxic, biological, livestock, vehicle, machinery, bulky, costly to store, or rapidly depreciating, the Court shall pass prompt orders for sale, disposal, preservation, destruction, interim custody or transfer to competent authority in accordance with law. (2) Before disposal, the Court shall ordinarily ensure preparation of inventory, photographs/video, sample preservation where required, expert certification and valuation. (3) Sale proceeds shall be deposited in Court, treasury, bank account or other authorised account and shall	BNSS Section 505 — power to sell perishable property. BNSS Sections 497 and 498 — custody and disposal pending trial and at conclusion of trial. *Sunderbhai Ambalal Desai v. State of Gujarat*, (2002) 10 SCC 283 — prompt disposal/release of vehicles and property to avoid deterioration. *General Insurance Council v. State of A.P.*, (2010) 6 SCC 768 — disposal/release of seized

	abide by final order. (4) Where the property is a vehicle, the Court shall consider release to registered owner/insurer/claimant on bond and conditions, unless confiscation/special law requires otherwise. (5) Where the property is narcotic substance, psychotropic substance, arms, explosives, wildlife article, food article, medicine, chemical or hazardous material, special statute procedure shall prevail. (6) The order shall specify custody, responsibility for maintenance and consequences of non-production.	vehicles. NDPS Act, 1985 — special procedure for narcotic substances, samples and disposal.
New Rule.	**Rule 101-F: Electronic devices, digital records and cyber property.** (1) Where seized property consists of mobile phone, computer, laptop, server, hard disk, DVR/NVR, CCTV storage, pen drive, memory card, SIM, cloud account, crypto wallet, digital token, electronic document, email, social media account, database, software, digital template or other electronic/digital material, the Court shall pass specific orders for custody, forensic imaging, access, preservation, inspection, copying, release or disposal. (2) Original electronic device shall not ordinarily be returned until forensic image, hash value, inventory, certificate, chain-of-custody record and necessary extraction are completed, unless the Court records reasons. (3) Where release of the device is ordered, the Court may retain forensic image/certified copy and impose conditions against alteration, deletion, sale or	BNSS Sections 497 to 505 — custody/disposal framework for property. Bharatiya Sakshya Adhiniyam, 2023 — electronic/digital records and certificates. Information Technology Act, 2000 — electronic records, computer resources and digital authentication. Maharashtra eSakshya Management Rules, 2025 — comparative reference on hash value, secure storage and digital evidence management. Patna Vulnerable Witness Guidelines — restricted

	disposal. (4) Sensitive material such as sexual offence material, child sexual abuse material, private images, medical records, protected witness data, financial credentials or national-security material shall be sealed or kept in restricted-access digital storage. (5) Access to digital material shall be regulated by Court order, and copies shall not be supplied where prohibited by law or where supply may compromise privacy, safety or investigation, except in a controlled manner consistent with fair trial. (6) Final disposal shall include direction for deletion, destruction, retention, return, confiscation or transfer to competent authority, as applicable.	access to sensitive audio-video/electronic material. POCSO Act, 2012 — protection against disclosure/handling of child sexual material and identity.
New Rule.	**Rule 101-G: Property derived from criminal activity, attachment, forfeiture, restoration and distribution.** (1) Where an application is made during investigation or trial for attachment of property believed to be derived or obtained directly or indirectly from criminal activity, the Court shall process the application in accordance with Section 107 BNSS. (2) The application shall ordinarily contain: (a) description and location of property; (b) estimated value; (c) material showing link with criminal activity; (d) approval of Superintendent of Police or Commissioner of Police, where required; (e) details of persons in whose name or possession the property stands; (f) request for show-cause notice or interim ex parte order, if justified; and (g) details of	Section 107 BNSS — attachment, forfeiture or restoration of property derived or obtained from criminal activity; show-cause notice, attachment, distribution to affected persons by District Magistrate within statutory framework, and forfeiture of surplus/unclaimed proceeds to Government. BNSS Chapter XXXVI — disposal of property. Victim compensation/restitution orientation

	affected persons/claimants, if known. (3) Before passing final attachment/forfeiture/restoration order, the Court shall issue notice and give reasonable opportunity of hearing to affected persons, except where interim ex parte order is permitted by law. (4) Where property is found to be proceeds of crime, the Court may direct distribution to affected persons through the District Magistrate as provided by BNSS. (5) Where no claimant is ascertainable or surplus remains after satisfying claimants, the Court shall pass appropriate order regarding forfeiture to Government as provided by law. (6) Proceedings under special laws such as PMLA, NDPS, UAPA, Customs, Excise, Forest/Wildlife or other confiscation statutes shall be dealt with subject to the special law and any order of competent special Court/authority. (7) Property and claimant details shall be recorded in a separate proceeds-of-crime register/electronic record.	under BNSS Sections 395 and 396. Special-law saving: PMLA, NDPS Act, UAPA, Customs Act, Forest/Wildlife laws, State Excise laws and other confiscation statutes. Recent implementation reports show courts using BNSS Section 107 for attachment/auction and victim compensation in economic offence cases; this supports the need for a procedural register and notice/distribution mechanism.
New Rule.	**Rule 101-H: Restoration of immovable property and possession-related orders.** (1) Where any person has been dispossessed of immovable property by force, criminal intimidation or other offence, and restoration is sought after conviction or in circumstances permitted by law, the Court shall consider passing appropriate restoration order. (2) The order shall identify the property, boundaries, claimant, person in possession, offence, finding, and authority responsible for	BNSS Section 502 — power to restore possession of immovable property. BNSS Chapter XXXVI — disposal/restoration of property. Witness Protection Scheme, 2018 / Patna Vulnerable Witness Guidelines

	restoration. (3) Before restoration, the Court shall hear affected parties where required and shall ensure that the order does not conflict with any civil Court injunction, revenue order or superior Court order brought to its notice. (4) The Court may direct police/revenue assistance for peaceful restoration, inventory, panchnama and compliance report. (5) Where restoration may create risk of violence or witness/victim intimidation, appropriate safety directions may be issued.	— safety concerns where restoration may expose victim/witness to risk.
New Rule.	**Rule 101-I: Destruction of prohibited, libellous, obscene, unsafe or identity-sensitive material.** (1) Where the property consists of libellous, obscene, sexually explicit, child sexual abuse, counterfeit, prohibited, unsafe, dangerous, defamatory, forged, tampered, private or identity-sensitive material, the Court shall pass specific orders regarding destruction, sealing, restricted retention, redaction or transfer to competent authority in accordance with law. (2) Before destruction, the Court shall ensure that photographs, certified copy, sample, forensic image, hash value, transcript, inventory or other evidentiary substitute is prepared where necessary for appeal/revision. (3) In sexual offence/POCSO matters, private images, recordings and child-related material shall not be copied, supplied, displayed, uploaded or retained except as strictly necessary under sealed/restricted access. (4)	BNSS Section 501 — destruction of libellous and other matter. BNSS Sections 497–505 — property disposal framework. POCSO Act, 2012 — child victim identity protection and sensitive material safeguards. Information Technology Act, 2000 — electronic obscene/sexual material and computer records. Patna Vulnerable Witness Guidelines / Witness Protection Scheme, 2018 — restricted access and confidentiality of sensitive identity-related records.

	Destruction shall be carried out by authorised officer and certificate of destruction shall be filed in Court. (5) If the material is required by a superior Court or another lawful proceeding, destruction shall await such direction.	
New Rule.	**Rule 101-J: Property register, malkhana linkage and digital monitoring.** (1) Every Criminal Court shall maintain a Property Disposal Register physically or electronically. (2) The register shall include: (a) case number and CNR number; (b) FIR/complaint number; (c) property/exhibit number; (d) description and quantity; (e) date of seizure/production; (f) place of custody/malkhana; (g) seal details; (h) owner/claimant details; (i) interim custody order; (j) forensic/expert examination status; (k) appeal/revision status; (l) final disposal order; (m) date and mode of release/auction/destruction/confiscation; (n) acknowledgement/compliance certificate; (o) proceeds deposited/disbursed; and (p) protected/sensitive-record flag.	BNSS Sections 497–505 — custody and disposal of property. Section 107 BNSS — proceeds of crime attachment/distribution/forfeiture, requiring monitoring and claimant tracking. Patna High Court Circular Order No. 06 of 2025 / *CBI v. Mir Usman @ Ara @ Mir Usman Ali* — expedition and monitoring to avoid procedural delay. Maharashtra eSakshya Management Rules, 2025 — comparative electronic evidence/property tracking principles. Patna Vulnerable Witness Guidelines — restricted access to sensitive records.

	(3) The register shall be periodically reviewed by the Presiding Officer to ensure that property does not remain unnecessarily pending after conclusion of trial or appeal period. (4) The Court may seek periodic report from police malkhana, treasury, FSL, jail, district administration, bank, cyber lab or other custodian regarding property status. (5) Digital registers may be integrated with CIS/e-Courts/malkhana/evidence-management platforms, subject to High Court directions. (6) Entries disclosing protected victim/witness identity, sexual offence material, child-related material or confidential digital data shall be restricted.	
New Rule.	**Rule 101-K: Compensation, restitution and victim-sensitive disbursement from property or proceeds.** (1) Where property or proceeds are liable to be restored to a victim, affected person, innocent purchaser, lawful owner or claimant, the Court shall pass clear directions regarding entitlement, amount/property, mode of release, identity verification and acknowledgment. (2) Where compensation has been awarded or recommended, the Court shall consider whether fine,	BNSS Sections 395 and 396 — compensation and victim compensation scheme. BNSS Section 499 — payment to innocent purchaser of money found on accused. Section 107 BNSS — proceeds of crime to be distributed to affected persons through

	recovered property, proceeds of crime, sale proceeds or attached property can lawfully be used for compensation, restitution or distribution to affected persons. (3) Where payment is to a child, sexual offence victim, vulnerable person, protected witness, person with disability, deceased victim's dependent, or person under protection, the Court shall direct safe and confidential disbursement, including deposit in bank account, fixed deposit, DLSA/SLSA channel or guardian-controlled release subject to safeguards. (4) The order shall not disclose protected identity in public record and may use sealed identity sheet or coded reference. (5) If there are multiple affected persons, the Court may require verification by District Magistrate, police, prosecution, DLSA/SLSA or other competent authority, subject to law. (6) Compliance of disbursement shall be recorded in the property register and compensation register.	District Magistrate where statutory conditions are satisfied. Bihar Victim Compensation Scheme / Bihar Victim Compensation (Amendment) Scheme, 2019. SC/ST Act, 1989 — victim/witness rights and compensation-related framework. POCSO Act, 2012 — child victim compensation and protection. Patna Vulnerable Witness Guidelines — confidentiality and victim-sensitive handling.
	CHAPTER XVIII **MISCELLANEOUS** **RULES 102 TO 103-I**	

Chapter heading:CHAPTER XVIII — Miscellaneous [Chapter XLVI, Cr.P.C.]	**Chapter heading: CHAPTER XVIII — Miscellaneous** All references to Chapter XLVI Cr.P.C. shall be substituted with corresponding provisions of the **Bharatiya Nagarik Suraksha Sanhita, 2023**, especially Chapter XXXIX — Miscellaneous, and other applicable provisions of BNSS, BNS, BSA, special laws and High Court directions.	**"Miscellaneous — Chapter XLVI, Cr.P.C."** BNSS Chapter XXXIX contains miscellaneous provisions including **Section 521 — Delivery to commanding officers of persons liable to be tried by Court-martial**, **Section 522 — Forms**, **Section 523 — power of High Court to make rules**, **Section 529 — continuous superintendence**, **Section 530 — electronic mode**, and **Section 531 — repeal and savings**.
Rule 102. The rule reproduces old rules made by the Governor-General in Council under Section 549 Cr.P.C., 1898, as to cases in which persons subject to military or air force law shall be tried by Criminal Court or Court-Martial. It provides	**Rule 102: Cases involving persons subject to Army, Navy, Air Force or other Armed Forces law.** (1) Where any person subject to Army, Navy, Air Force or any other law relating to the Armed Forces of the Union is brought before a Magistrate and is charged with an offence for which he is liable to be tried either by a Criminal Court or by a Court-Martial, the Magistrate shall proceed in accordance with Section 521 BNSS, the service law applicable to the accused, and the rules framed by the Central	Existing Rule 102, Chapter XVIII, Patna Criminal Court Rules. Section 521 BNSS provides that Central Government may make rules consistent with BNSS and the Air Force Act, Army Act, Navy Act and other Armed Forces law as to cases in which persons subject to armed forces law shall be tried by Criminal Court or

that where such person is brought before a Magistrate and charged with an offence triable by Court-Martial, the Magistrate shall not proceed to try, refer, inquire for commitment, frame charge or commit unless he records reasons to proceed without being moved by competent military/air force authority, or is moved by such authority. Before proceeding, notice must be given to the Commanding Officer and five days must expire. If the Commanding Officer gives notice that the accused should be tried by Court-Martial, proceedings shall be stayed and the	Government regarding adjustment of jurisdiction between Criminal Courts and Court-Martial. (2) The Magistrate shall ascertain and record, as far as available: (a) name and rank of the accused; (b) service number; (c) unit, regiment, corps, ship, squadron, detachment, group, battalion, company or establishment; (d) Commanding Officer and Record Office; (e) whether the accused is subject to Army, Navy, Air Force or other Armed Forces law; (f) nature of offence and whether it is triable by Criminal Court, Court-Martial, or both; (g) custody status and bail status; and	Court-Martial; the Magistrate must have regard to such rules and may deliver the accused with a statement of offence to the Commanding Officer. Army Act, 1950, Sections 125 and 126 — choice between Criminal Court and Court-Martial and power of Criminal Court to require delivery of offender. Air Force Act, 1950, Sections 124 and 125 — choice between Criminal Court and Court-Martial and power of Criminal Court to require delivery of offender. Navy Act, 1957 — proceedings involving persons subject to naval law and right of naval authorities to obtain copies of Criminal Court judgments/orders. Criminal Courts and Court-Martial (Adjustment of Jurisdiction) Rules, 1978 — comparative/current framework replacing older Section 549 Cr.P.C.,

accused delivered with statement prescribed under Section 549. If not tried by Court-Martial or effectual proceedings are not taken, Magistrate reports to State Government. Competent military authority is Brigade Commander; competent air force authority is Air Officer Commanding.	(h) whether any request, notice or decision has been received from the competent service authority. (3) Where the Magistrate proposes to proceed with inquiry or trial before the Criminal Court in a case where Court-Martial jurisdiction may also exist, he shall issue notice to the Commanding Officer or competent service authority, unless the applicable law/rules permit otherwise. (4) The Magistrate shall not take any irreversible step affecting forum choice, including framing charge, committing the case, proceeding with trial, or passing final order, until the period prescribed under the applicable Central Government rules has expired, or until the competent service authority communicates its decision, whichever is earlier, subject to law and urgent custody/protection orders. (5) If the competent service authority gives notice that the accused should be tried by Court-Martial and the Magistrate is required by law to stay proceedings, the Magistrate shall stay the criminal proceedings and deliver the accused, if in his power or control, with a statement of the offence and relevant record to the Commanding Officer or competent authority in accordance with Section 521 BNSS.	1898 rules. (High Court of Punjab and Haryana) BNSS Section 530 — electronic mode.

	(6) If the accused is not tried by Court-Martial or no effectual proceedings are taken after delivery, the Magistrate shall call for a report from the Commanding Officer/competent authority and, where necessary, report the matter to the State Government, District Judge/High Court or other authority as may be required by law or High Court direction. (7) In cases involving civilian victims, sexual offences, child victims, SC/ST Act offences, vulnerable witnesses, protected witnesses, public order, national security or serious bodily offences, the Magistrate shall ensure that victim/witness protection, preservation of evidence, medical/forensic examination, compensation and confidentiality are not compromised while determining the proper forum. (8) Where the matter is retained by the Criminal Court, the reasons for doing so shall be recorded, and the Commanding Officer/competent service authority shall be informed as required. (9) Where the matter is delivered for Court-Martial, the Court shall retain certified copies or scanned copies of essential papers and record the date, time, authority, and acknowledgment of delivery.	

	(10) Communications may be made by physical or secure official electronic mode, and acknowledgment shall be preserved.	
Rule 103. For rules framed by Government under Section 565(3), Criminal Procedure Code, see Bengal Government Notification No. 313-J., dated 14 January 1902.	**Rule 103: Order requiring notification of address or residence by previously convicted offender.** (1) Where a Court passes an order requiring a previously convicted offender to notify his residence, change of residence, absence from residence or intended residence after release, such order shall be made in accordance with Section 394 BNSS and the rules, notifications or Government directions applicable for such notification. (2) The judgment or sentencing order shall clearly state: (a) the previous conviction relied upon; (b) the offence and sentence in the present case; (c) the statutory basis for the notification order; (d) the period for which the order shall remain in force; (e) the police station or authority before whom notification is to be made;	Existing Rule 103, Chapter XVIII, Patna Criminal Court Rules. Section 394 BNSS — order for notifying address of previously convicted offender. The provision applies where a person previously convicted in India of an offence punishable with imprisonment of three years or upwards is again convicted of an offence punishable with imprisonment of three years or upwards, and the Court may order notification of residence/address after release. Proposed Chapter XI Rule 76 — attachment and communication of order requiring notification of residence. BNSS Section 530 — electronic mode. Witness Protection Scheme, 2018 / Patna Vulnerable

	(f) the time within which residence or change of residence must be notified; and (g) consequences of breach, where provided by law. (3) The order shall be attached to the warrant of commitment/imprisonment and communicated to the jail authority, police station of intended residence, district police authority, and any other authority notified by Government. (4) A copy of the order shall be supplied to the convict and explained in a language understood by him. (5) Where the convict is released, transferred, granted bail, sentence is suspended, remitted or commuted, or release date is modified, the jail authority shall communicate such fact to the police station/authority specified in the notification order. (6) In cases involving victims of sexual offences, children, vulnerable witnesses, protected witnesses, domestic violence, stalking, SC/ST Act offences or witness protection orders, communication under this Rule	Witness Guidelines — safe communication and non-disclosure of protected identity.

	shall not disclose protected victim/witness identity, address or safe location unless legally necessary. (7) The Court shall maintain an entry of such order in the appropriate register or electronic record and shall monitor compliance where required by law.	
Rule 103-A. In the matter of application of Rules 102 and 103, the provisions of Section 484(2)(b) Cr.P.C., 1973 may be seen.	**Rule 103-A: Repeal, savings and transitional application.** (1) References in these Rules to the Code of Criminal Procedure, 1898 or the Code of Criminal Procedure, 1973 shall, wherever required by context and subject to law, be read as references to the corresponding provisions of the Bharatiya Nagarik Suraksha Sanhita, 2023. (2) Any notification, rule, form, warrant, register, order, circular or direction issued under the repealed Codes shall continue to apply only to the extent saved by law and only so far as it is not inconsistent with BNSS, BNS, BSA, any special law, or directions of the High Court. (3) Pending investigations, inquiries, trials, appeals, revisions, references, applications and proceedings shall be governed by the repeal-and-savings provision of BNSS and any direction of the High Court or Supreme Court.	Existing Rule 103-A, Chapter XVIII, Patna Criminal Court Rules. Section 531 BNSS repeals the Code of Criminal Procedure, 1973 and contains savings for pending appeals, applications, trials, inquiries and investigations. Section 3 BNSS — construction of references. Section 522 BNSS — statutory forms. Section 523 BNSS — power of High Court to make rules.

	(4) Where any doubt arises regarding the corresponding BNSS provision, forum, form, warrant, register or authority, the Court shall record the issue and may seek administrative/judicial clarification from the District Judge/High Court as appropriate. (5) No proceeding shall fail merely because an old Cr.P.C. section number is mentioned, if the substance corresponds to a valid BNSS provision and no prejudice is caused. (6) All Courts shall progressively update forms, registers, notices, warrants and electronic templates to BNSS/BNS/BSA terminology.	
New Rule.	**Rule 103-B: Service personnel case register and monitoring.** (1) Every Court shall maintain a physical or electronic register for cases involving persons subject to Army, Navy, Air Force or other Armed Forces law where the question of trial by Criminal Court or Court-Martial arises. (2) The register shall contain: (a) case number and CNR number;	Section 521 BNSS — delivery to commanding officers and Court-Martial coordination. Existing Rule 102 requires report to the State Government where the accused delivered to service authority is not tried by Court-Martial or no effectual proceeding is taken. Army Act, 1950; Air Force Act, 1950; Navy Act, 1957. BNSS Section 529 — High Court's continuous superintendence over

	(b) police station/FIR/complaint details; (c) name, rank, service number and unit of accused; (d) Commanding Officer/Record Office; (e) offence alleged; (f) custody/bail status; (g) date of notice to Commanding Officer; (h) response of service authority; (i) whether Criminal Court retained the matter or delivered accused for Court-Martial; (j) reasons recorded; (k) date of delivery/acknowledgment; (l) status report from service authority; (m) victim/witness protection directions, if any; and	Courts; BNSS Section 530 — electronic mode.

	(n) final result/compliance. (3) Cases in which the accused is delivered for Court-Martial shall be reviewed periodically until the Court receives information that Court-Martial or other effectual proceeding has been taken. (4) Where no effectual proceeding is reported within reasonable time, the matter shall be placed before the Presiding Officer for appropriate action under law. (5) Records involving protected victims/witnesses, national security or confidential service material shall be maintained with restricted access.	
New Rule.	**Rule 103-C: Preservation of evidence, victim rights and witness protection in service-personnel cases.** (1) Where the accused is subject to Armed Forces law and forum determination is pending, the Magistrate shall ensure that urgent investigative and protective steps are not delayed. (2) The Court may issue or ensure lawful directions regarding preservation of CCTV footage, electronic records, weapons, medical	Section 521 BNSS — delivery to Commanding Officer with statement of offence; Magistrate to have regard to applicable rules. BNSS Section 173 onwards — investigation framework and preservation of material, read with BNSS electronic-mode provisions. Patna Vulnerable Witness Guidelines — confidentiality, special measures and protected identity. Witness

	evidence, forensic samples, victim statement, witness protection, compensation-related documents, and property/material objects. (3) In cases involving sexual offences, child victims, SC/ST Act victims, vulnerable witnesses, protected witnesses or civilian victims, the Court shall ensure that the victim/informant is informed of the status of forum decision where law permits and that confidentiality is maintained. (4) If the case is delivered for Court-Martial, the Court shall transmit only necessary certified or sealed materials and shall retain an index of documents/exhibits transmitted. (5) The Commanding Officer/competent authority may be requested to inform the Criminal Court of the progress and final result of Court-Martial or other proceedings, subject to service law. (6) Protected identity, safe address, medical privacy and witness protection material shall not be disclosed except where legally necessary and through sealed/restricted communication.	Protection Scheme, 2018 / Section 398 BNSS — witness protection. SC/ST Act, 1989 and POCSO Act, 2012 — victim/witness rights and protection in special statute cases.
New Rule.	**Rule 103-D: Copies of judgments, orders and proceedings for service authorities.**	Existing Chapter X Rule 66 / proposed Rule 66 — forwarding judgments and conviction extracts concerning defence

	(1) Where a person subject to Army, Navy, Air Force or other Armed Forces law is tried or proceeded against by a Criminal Court, copies of judgment, sentence order, bail order, conviction order, acquittal order, discharge order, release order or other material order may be supplied to the competent service authority in accordance with law and upon proper request or direction. (2) Where the accused is a commissioned officer/officer, full judgment or order may be forwarded where required; where the accused is of other rank, conviction/sentence extract may be sufficient unless full copy is required by law or authority. (3) Copies shall include necessary particulars such as rank, service number, unit and case details. (4) In sexual offence, child victim, vulnerable witness, protected witness, national security or sealed-record cases, only redacted or sealed copy/extract shall be supplied unless full disclosure is legally required. (5) Transmission may be physical or through secure official electronic mode, with acknowledgment.	personnel. Navy Act, 1957 includes provisions enabling naval authorities to obtain copies of Criminal Court judgments/orders concerning persons in naval service. Army Act, 1950; Air Force Act, 1950; Navy Act, 1957 — service consequences and Court-Martial coordination. Patna Vulnerable Witness Guidelines / Witness Protection Scheme, 2018 — redaction and confidentiality.

New Rule.	**Rule 103-E: Digital and secure communication in miscellaneous matters.** (1) Any notice, requisition, report, warrant, order, register extract, service-authority communication, residence-notification communication, or compliance report under this Chapter may be issued, transmitted, received and preserved through secure official electronic mode approved by the High Court. (2) Electronic communication shall be digitally signed or otherwise authenticated as directed by law or High Court circular. (3) The Court shall preserve proof of dispatch, delivery, acknowledgment and compliance in the physical or electronic record. (4) Where electronic communication concerns custody, release, forum transfer, Court-Martial delivery, residence notification, witness protection or protected identity, it shall be treated as urgent and confidential.	BNSS Section 530 — trial and proceedings may be held in electronic mode. Information Technology Act, 2000 — electronic records and authentication. BNSS Section 522 — forms; Section 523 — High Court rule-making power; Section 529 — continuous superintendence. Patna Vulnerable Witness Guidelines — restricted electronic access and confidentiality.

	(5) Informal, private or unauthenticated electronic messages shall not be acted upon as judicial orders unless verified through approved protocol. (6) The Court shall maintain restricted access to communications containing service-sensitive information, protected witness identity, medical records, child victim identity or national-security material.	
New Rule.	**Rule 103-F: Compliance with High Court circulars, guidelines and special procedural directions.** (1) Criminal Courts shall comply with binding circulars, general letters, practice directions, vulnerable witness guidelines, legal aid directions, electronic communication rules and other procedural directions issued by the High Court from time to time. (2) Where any circular or guideline relates to a specific subject already covered in these Rules, such circular or guideline shall be read harmoniously with the relevant rule. (3) Where any inconsistency appears between an old form/rule and a later statutory provision, High Court circular, Supreme Court direction	BNSS Section 523 — High Court's power to make rules; Section 529 — duty of High Court to exercise continuous superintendence over Courts. Patna High Court Circular Order No. 02 of 2025 — legal aid intimation/coversheet for higher remedies. Patna High Court Circular Order No. 05 of 2024 — caste/religion/sensitive identity non-disclosure unless legally necessary. Patna High Court Circular Order No. 06 of 2024 — order-writing discipline. Patna High Court Circular Order No. 06 of 2025 / *CBI v. Mir Usman @ Ara*

	or special law, the Court shall apply the later binding law/direction and record the reason where necessary. (4) Courts shall maintain an updated compilation or digital access to relevant High Court criminal circulars, e-Courts directions, legal aid circulars, vulnerable witness guidelines and special law directions. (5) District Judges/Sessions Judges may periodically review compliance with such circulars in criminal courts subordinate to them.	*@ Mir Usman Ali* — expedition and avoidance of delay. Patna Vulnerable Witness Guidelines / Witness Protection Scheme, 2018.
New Rule.	**Rule 103-G: Non-disclosure of caste, religion and sensitive personal particulars.** (1) No order, judgment, cause title, warrant, register, form, notice or communication shall mention caste, religion or other sensitive personal particulars of any party, accused, victim, witness or complainant unless such mention is legally necessary. (2) Such particulars may be recorded only where they are relevant to statutory ingredients, special statute entitlement, identity verification, compensation, protection, jurisdiction, or any other legally necessary purpose.	Patna High Court Circular Order No. 05 of 2024 — caste/religion of litigants/parties not to be mentioned unless legally necessary. Patna Vulnerable Witness Guidelines — identity protection and redaction. POCSO Act, 2012; SC/ST Act, 1989 — special law contexts where identity, status or protection may be legally relevant, but disclosure must be controlled.

	(3) Where such particulars are necessary, the Court shall record them with restraint and avoid unnecessary repetition in public orders. (4) In public copies, certified copies, electronic uploads or inter-departmental communication, such particulars shall be redacted where disclosure is not necessary. (5) This Rule shall apply in addition to specific identity-protection requirements under POCSO, SC/ST Act, sexual offence laws, witness protection orders and vulnerable witness guidelines.	
New Rule.	**Rule 103-H: Legal aid information in final and adverse criminal orders.** (1) Where any final or adverse order is passed against an accused, convict, prisoner, unrepresented person, child/vulnerable person, or person in custody, and a statutory remedy or higher remedy may lie, the Court shall ensure that information regarding availability of free legal aid is supplied where required by law or High Court direction. (2) The legal aid intimation/coversheet shall accompany copy of judgment, conviction order, sentence order, dismissal order,	Article 39-A, Constitution of India — equal justice and free legal aid. Legal Services Authorities Act, 1987. Patna High Court Circular Order No. 02 of 2025 — legal aid coversheet/intimation for higher remedies. BNSS provisions on copy of judgment, appeal, revision and custody-related orders. BNSS Section 530 — electronic communication.

	revision/appeal order, warrant-related order, or any other adverse final order where applicable. (3) Where the person is in custody, such intimation shall be communicated through jail authority and Legal Services Authority. (4) Where the person is unable to understand the language, is illiterate, disabled or mentally ill, the intimation shall be explained in a manner understandable to him. (5) A note of supply of legal aid information shall be recorded in the order-sheet or electronic record.	
New Rule.	**Rule 103-I: Miscellaneous register and compliance monitoring.** (1) Every Criminal Court shall maintain such miscellaneous registers, physical or electronic, as may be necessary for matters not fully covered elsewhere, including: (a) service-personnel/Court-Martial coordination; (b) residence-notification orders; (c) legal aid intimation;	BNSS Section 529 — continuous superintendence over Courts; Section 530 — electronic mode. BNSS Section 521 — Court-Martial delivery and communication. BNSS Section 394 — address/residence notification by previously convicted offender. Patna High Court Circular Orders 02/2025, 05/2024, 06/2024, 06/2025 and Vulnerable Witness Guidelines —

	(d) High Court circular compliance; (e) electronic communication acknowledgments; (f) sealed/confidential communication; and (g) compliance reports required by special laws or High Court directions. (2) The register shall record case number, CNR number, date of order, authority communicated to, mode of communication, acknowledgment, due date for report/compliance, reminder issued, final compliance and restricted-access flag where applicable. (3) The Presiding Officer shall review pending miscellaneous compliance matters periodically. (4) Delay or non-compliance in matters affecting custody, release, trial forum, witness protection, legal aid, victim compensation or safety shall be reported to the Sessions Judge/District Judge where necessary. (5) Digital registers may be integrated with CIS/e-Courts or other High Court-approved platforms.	compliance monitoring, legal aid, identity protection, order discipline, expedition and confidentiality.

PART III

RECORDS

CHAPTER I

ARRANGEMENTS OF RECORDS OF CRIMINAL PROCEEDINGS

A. RECORDS OF COURTS OF SESSION

RULES 109 TO 112-M

Part III, Chapter I — Arrangement of Records of Criminal Proceedings, A. Records of Courts of Session now covers: - physical and digital record-room; record-keeper duties and accountability; File A and File B structure; electronic record folders; sealed/restricted-access folders; material object/property linkage; Session trial papers under BNSS/BSA; accused-wise charge/plea and examination records; electronic and audio-video evidence; vulnerable/protected witness records; special statute compliance papers; compensation/legal aid records; appellate/revisional/execution/remission papers; inspection/copying/redaction; record integrity, audit trail and reconstruction; retention/destruction and digital monitoring.

Rule 109. "Record-room" is a room set apart for the storage of decided cases and records. "Record-keeper" is the ministerial officer in immediate charge of such records.	**Rule 109: Record-room, digital record-room and record-keeper.** (1) "Record-room" means the physical space set apart for storage, preservation, indexing, retrieval, inspection, transmission and destruction of records of decided criminal cases and proceedings. (2) "Digital record-room" means the electronic repository, CIS/e-Courts record, scanned record, digitised record, electronic exhibit repository, audio-video evidence repository, or any High Court-approved digital system for preservation and retrieval of criminal records. (3) "Record-keeper" means the ministerial officer immediately in charge of physical	Existing Rule 109, Part III, Chapter I, Patna Criminal Court Rules. Section 530 BNSS — electronic mode of trial, inquiry and proceedings; supports digital preservation and electronic record-handling. BNSS provisions on records of evidence, judgments, copies, appeals, revisions, execution and property disposal require complete and

	and digital records, subject to supervision of the Presiding Officer, Chief Judicial Magistrate, Sessions Judge, District Judge or any officer authorised by the High Court. (4) The record-keeper shall be responsible for proper receipt, classification, pagination, indexing, safe custody, movement, inspection, certified copy processing, return, transmission and lawful destruction of records. (5) Where digital records are maintained, the record-keeper or authorised official shall ensure metadata entry, CNR linkage, access control, audit trail, backup, restricted access to sealed/sensitive records and preservation of digitally signed or authenticated records. (6) Records involving children, sexual offences, vulnerable witnesses, protected witnesses, witness protection orders, medical privacy, mental health, sealed evidence, or electronic sensitive material shall be kept in restricted-access physical or digital custody. (7) No record shall be removed from the record-room or digital record-room except under written order, requisition, certified copy process, inspection order, appellate/revisional transmission, or authorised administrative procedure. (8) Any loss, tampering, unauthorised access, damage, missing page, broken seal, corrupted digital file or breach of confidentiality shall be immediately reported to the Presiding Officer and Sessions Judge/District Judge for appropriate action.	retrievable records. Bharatiya Sakshya Adhiniyam, 2023 recognises electronic/digital records and provides rules for admissibility and proof of electronic records. Patna Vulnerable Witness Guidelines — confidentiality, restricted access and protection of sensitive records. Witness Protection Scheme, 2018 — protection of identity and restricted disclosure.

Rule 110. Every record of a Court of Sessions shall consist of two files, to be styled and marked respectively **File A** and **File B**.	**Rule 110: Classification of Sessions Court records into File A, File B and electronic/sensitive record components.** (1) Every record of a Court of Session shall ordinarily consist of two principal files, styled and marked respectively as **File A** and **File B**. (2) **File A** shall contain the essential judicial record required for trial, appeal, revision, reference, execution, certification and permanent preservation. (3) **File B** shall contain other papers not required to be placed in File A, subject to these Rules and any retention/destruction schedule approved by the High Court. (4) In addition to File A and File B, the Court may maintain the following linked components, physically or electronically: (a) **Electronic Record Folder** for digitally signed orders, e-filings, electronic exhibits, scanned pleadings, electronic certificates, audio-video recordings and CIS entries; (b) **Sealed/Sensitive Record Folder** for protected identity sheets, vulnerable witness records, sexual offence material, POCSO records, witness protection orders, medical/mental-health records and other restricted-access material; (c) **Material Object / Property Folder** containing the material object	Existing Rule 110, Part III, Chapter I, Patna Criminal Court Rules. BNSS Chapter XXV contains provisions on recording evidence, including record in trial before Court of Session, language of record, completion/interpretation of evidence, and record of accused examination. BNSS Chapter XXIX contains judgment and copy provisions; Chapter XXXI/XXXII concern appeals/revisions and certification of orders to lower Court, requiring complete record classification. Section 530 BNSS — electronic mode. BSA provisions on electronic/digital records and electronic-record certificate. Patna Vulnerable Witness Guidelines / Witness Protection Scheme, 2018 — separate handling of sealed or restricted sensitive records.

	index, custody location, malkhana details, photographs, inventory, seizure/seal details and disposal orders; (d) **Appellate/Revision/Execution Compliance Folder** containing subsequent appellate/revisional orders, warrants returned after execution, remission/commutation orders, release communications and compliance reports. (5) The title page and table of contents shall mention all linked folders/components and indicate whether any sealed, restricted, digital or material-object record exists. (6) The record shall be arranged in chronological and subject-wise order so that the appellate/revisional Court may conveniently examine the entire trial history. (7) Digital copies/scanned records shall be indexed in the same sequence as the physical record, as far as practicable.	
Rule 111. File A shall contain the following papers arranged in order: (1) Title-page; (2) Table of Contents; (3) Order-sheet; (4) papers	**Rule 111: Contents and arrangement of File A in Sessions cases.** (1) File A shall contain the essential judicial record of the Sessions case and shall be arranged in the following order, unless otherwise directed by the Court or High Court: **A. Preliminary and case-identification papers** (a) title page in prescribed form; (b) table of contents/index; (c)	Existing Rule 111, Part III, Chapter I, Patna Criminal Court Rules. BNSS provisions on Session trial evidence and records: record in trial before Court of Session, language of record,

showing initiation of proceedings, complaint/FIR/Magistrate order, sanction under Sections 195/196/197 Cr.P.C., police final report under Section 173 Cr.P.C., order of commitment; (5) charge, amended charge, record that charge was read/explained and plea of accused; (6) documents connected with offence/charge; (7) list of articles connected with offence proved and exhibited but not attached to record, such as weapons, stolen property, counterfeit coin/materials; (8)(a) prosecution depositions	CNR number, case number, police station case number/complaint number, Sessions trial number, committal case number and name of Court; (d) order-sheet from receipt/registration till final disposal, including electronic order-sheet where maintained. **B. Institution, investigation and committal papers** (e) complaint, FIR, protest petition, Magistrate's order taking cognizance, or other proceeding-initiation paper; (f) police report/charge-sheet/final report and supplementary police report, if any; (g) sanction/complaint/authorisation required under BNSS, BNS or any special law; (h) cognizance order, supply-of-copies order, commitment order and transmission memo from committing Court; (i) list of accused, custody/bail status, production warrants and appearance records. **C. Charge and plea** (j) charge, amended charge or additional charge; (k) record showing that charge was read and explained to each accused in a language understood by him; (l) plea of each accused; (m) separate record of charge/plea where there are multiple accused or multiple charges. **D. Core documents and material connected with offence** (n) documents directly connected with offence or charge, including alleged forged document, disputed writing, statement forming subject of false-evidence charge, seizure memo, inquest report, post-mortem report, injury report, site plan, seizure/production	completion of evidence, interpretation to accused/advocate, record of accused examination, arguments and memorandum of arguments. BNSS Sections 335 and 336 — evidence in absence of accused and evidence of public servants, experts and police officers in certain cases; relevant to File A classification of special evidence. BNSS Chapter XXIX — judgment, contents of judgment, compensation, victim compensation, witness protection, copy of judgment and related post-judgment papers. BNSS appeal/revision/execution chapters require appellate/revisional orders, warrants and remission/commutation orders to be preserved in the original record. Bharatiya Sakshya Adhiniyam, 2023 — electronic/digital records,

chronologically, with later cross/re-examination attached to original deposition; note says previous statements used for contradiction under Section 145 Evidence Act shall be filed immediately after deposition and marked in separate series noted in order-sheet; (8)(b) depositions of absent witnesses admitted under Section 33 Evidence Act, Section 299 Cr.P.C. or otherwise, including depositions on commission and dying declarations; (9) deposition of medical witness admitted under Section 291 Cr.P.C.; (10)	documents, forensic forwarding letters and other core documents relied upon; (o) list/index of material objects and articles proved/exhibited but not physically attached to record, including weapons, stolen property, counterfeit currency/coin, narcotic samples, vehicles, digital devices, biological samples and other case property; (p) property custody/malkhana location, seal details and disposal/preservation orders. **E. Prosecution evidence** (q) depositions of prosecution witnesses in chronological order; where a witness is cross-examined or re-examined later, such later part shall be attached to the original deposition; (r) previous statements used for contradiction or corroboration shall be filed immediately after the deposition of the witness to whom they relate and shall be marked in a separate series, noted in the order-sheet; (s) depositions admitted because the witness is absent/unavailable, including prior deposition admissible under BSA, evidence recorded in absence of accused under Section 335 BNSS, commission evidence, dying declaration or any special-law statement; (t) audio-video evidence or transcript of evidence recorded through electronic mode, vulnerable witness deposition or commission evidence, with storage details and restricted-access note where applicable. **F. Expert, medical, scientific and formal evidence** (u) medical witness deposition, medical report, post-mortem report, injury	primary/secondary evidence, electronic-record certificate, public documents, certified copies and presumptions relating to records of evidence. Patna Vulnerable Witness Guidelines — vulnerable witness records, audio-video records, identity protection and restricted access. Witness Protection Scheme, 2018 — sealed identity and protection material. Patna High Court Circular Order No. 05 of 2024 — caste/religion/sensitive identity particulars not to be mentioned unless legally necessary. Patna High Court Circular Order No. 02 of 2025 — legal aid intimation for higher remedies, relevant to post-judgment record.

Chemical Examiner / Assistant Chemical Examiner report admitted under Section 293 Cr.P.C.; (11) confession or statement of accused under Section 164 Cr.P.C.; (12) examination of accused before Sessions Court; (13) written defence; (14) defence depositions chronologically; (14A) written memorandum of argument under Section 314 Cr.P.C.; (15) judgment and final orders; (16) previous conviction evidence and final judgment/order where trial involves charge of previous convictions. The following papers are later added: (17) copy of appellate/revisional	report and medico-legal papers admitted in evidence; (v) reports of Chemical Examiner/FSL/scientific expert/ballistic expert/DNA expert/cyber expert/handwriting expert/fingerprint expert/government scientific expert, admitted or proved according to law; (w) affidavit evidence/formal proof affidavit, if any; (x) successor public servant/expert/police officer deposition under BNSS, if any; (y) electronic/digital evidence certificate under BSA and hash report/device details, where applicable. **G. Statements, confession and accused examination**(z) confession or statement recorded by Magistrate under BNSS and admitted in evidence; (aa) statement of accused recorded during trial/examination of accused before Sessions Court, with translation/interpretation certificate where applicable; (ab) explanation of incriminating circumstances put to each accused separately; (ac) written statement/written defence filed by accused. **H. Defence evidence and arguments** (ad) defence witness depositions in chronological order; (ae) defence exhibits and documents admitted/proved; (af) written memorandum of arguments submitted by prosecution/defence/victim where permitted by law. **I. Judgment, sentence and final orders** (ag) judgment and final order; (ah) separate sentencing order, if any; (ai) victim compensation/compensation order; (aj) set-off/custody calculation; (ak) disposal order regarding	

judgment/order; (18) warrant returned after execution by jail authorities; (19) remission order by President/Governor.	property/material objects/electronic records; (al) release/commitment/warrant direction; (am) order concerning previous conviction or enhanced punishment, where applicable. **J. Post-disposal papers to be subsequently added** (an) copy of appellate/revisional/reference judgment or order; (ao) warrant returned after execution by jail authorities; (ap) release warrant, fresh warrant, revised warrant or modified sentence warrant; (aq) remission/suspension/commutation/mercy order by competent authority; (ar) compliance report regarding compensation, property disposal, release, retrial or further inquiry; (as) High Court/Supreme Court order, if any. (2) The title page and table of contents shall be prepared in English and in the prescribed combined form, and shall also be generated electronically where the Court maintains digital records. (3) Every paper in File A shall be paginated, indexed and arranged in the sequence prescribed above. (4) Where any paper is maintained only electronically, the index shall mention the digital file name, storage location, hash value/certificate details, access level and whether it is sealed or restricted. (5) In cases involving children, sexual offences, vulnerable witnesses, protected witnesses, witness protection orders or sensitive medical/electronic records, the public File A shall use redacted references and the unredacted material shall be placed in a	

	sealed/restricted folder. (6) Missing, damaged, illegible or unpaginated papers shall be reported to the Presiding Officer before transmission of record to appellate/revisional Court.	
Rule 112. File B shall contain: (1) Title-page; (2) Table of Contents; and (3) all other papers not included in File A, except documents admitted as evidence during trial, i.e., exhibits, which are dealt with separately.	**Rule 112: Contents and arrangement of File B in Sessions cases.** (1) File B shall contain papers not required to be included in File A and not forming part of admitted exhibits, unless the Court directs otherwise. (2) File B shall contain: (a) title page; (b) table of contents/index; (c) process-service reports not necessary for File A; (d) routine applications and petitions not forming part of core trial record; (e) adjournment petitions and routine administrative papers; (f) unused summonses/warrants/notices and related service papers; (g) vakalatnamas/memos of appearance where not otherwise required in File A; (h) routine correspondence, requisitions, reminders and acknowledgments; (i) certified copy applications and copy-delivery papers, unless necessary for appellate record; (j) non-evidentiary police/prosecution correspondence; (k) inspection applications and orders; (l) miscellaneous papers not relied upon in judgment or sentence. (3) Where a paper in File B becomes relevant to appeal, revision, execution, witness protection, compensation, property disposal or any judicial order, the Court may transfer it to File A or mark it as linked to File A. (4) File B shall not contain: (a) admitted	Existing Rule 112, Part III, Chapter I, Patna Criminal Court Rules. BNSS provisions on appeals, revisions, execution and property disposal require preservation of core judicial papers until finality; routine papers may be treated separately subject to record-retention rules. Section 530 BNSS — electronic mode and digital records. Bharatiya Sakshya Adhiniyam, 2023 — admitted documentary/electronic evidence must be preserved separately and cannot be treated as ordinary routine paper. Patna Vulnerable Witness Guidelines and Witness Protection Scheme, 2018 — sensitive identity/protection

	exhibits; (b) depositions; (c) confession/statements admitted in evidence; (d) judgment/sentence orders; (e) core custody/bail/warrant papers; (f) compensation/property disposal orders; (g) sealed vulnerable witness/protected witness identity records; or (h) documents required to be preserved permanently in File A. (5) File B shall be paginated and indexed separately from File A. (6) Papers in File B may be subject to shorter retention/destruction schedule if permitted by the High Court rules, but no destruction shall occur while appeal, revision, reference, retrial, execution, compensation, property dispute, or any superior Court proceeding is pending. (7) Digital File B papers may be stored electronically with metadata and access control. (8) Sensitive personal information, caste/religion details, medical information, protected addresses or victim/witness identity shall be redacted or restricted, even in File B.	material requires restricted handling, not routine File B storage.
New Rule.	**Rule 112-A: Separate handling of admitted exhibits and material objects.** (1) Documents admitted in evidence as exhibits shall be arranged, indexed and preserved separately in the manner prescribed for exhibits and shall not be mixed with File B routine papers. (2) Every exhibit shall be identified by exhibit number, party producing it, date of marking, witness through whom proved/admitted, description, page count, language and whether original/copy/certified copy/electronic	Existing Rule 111(7) requires list of articles connected with offence that cannot be attached to record; Rule 112 excludes admitted exhibits from File B. BNSS Chapter XXXVI — disposal of property and case property. BSA provisions on documentary and

	printout. (3) Material objects shall be entered in the material object register and cross-referenced in File A. (4) Where material objects cannot be physically attached to the record, File A shall contain a material object index, photograph/video/inventory, custody location, seal details and disposal order. (5) Exhibits containing sensitive victim/witness identity, medical records, sexual offence material, child-related material, mental-health information, protected witness material or confidential official records shall be sealed or restricted. (6) No exhibit or material object shall be returned, destroyed, auctioned, deleted or disposed of until the period for appeal/revision expires, or where appeal/revision/reference is filed, until final disposal or further order.	electronic evidence. Proposed Chapter XVII — Disposal of Property, especially property/material-object preservation and disposal rules. Patna Vulnerable Witness Guidelines / Witness Protection Scheme, 2018 — sealed handling of sensitive exhibits.
New Rule.	**Rule 112-B: Electronic and digital evidence record folder.** (1) Where any electronic or digital evidence forms part of the Sessions case record, the Court shall maintain an Electronic/Digital Evidence Record Folder linked with File A. (2) The folder shall include, as applicable: (a) exhibit number; (b) description of electronic record/device; (c) make/model/serial number/IMEI/MAC/cloud ID; (d) file name, format and storage medium; (e) hash value and algorithm; (f) BSA electronic-record certificate; (g) forensic report; (h) transcript/printout; (i) seizure memo and chain of custody; (j) access credentials sealed separately, if	BSA Sections 61 to 63 recognise electronic/digital records and prescribe certificate requirements for electronic records; the Schedule to Section 63 includes device/source details, hash value and expert certificate format. Section 530 BNSS — electronic mode. BNSS Sections 335, 336 and 356 contemplate audio-video/electronic

	necessary; (k) order regulating inspection/copying; (l) backup/clone details; and (m) disposal/return/destruction order. (3) Audio-video recordings of evidence, vulnerable witness depositions, commission evidence, trial in absentia evidence, electronic statements and remote testimony shall be indexed with date, witness number, duration, file name, storage location and access restriction. (4) Sensitive electronic material shall be stored with restricted access and shall not be copied, supplied or uploaded except by Court order. (5) Hash report and electronic-record certificate shall remain part of File A or linked sealed electronic folder. (6) Digital records shall be backed up and protected against alteration, deletion, corruption or unauthorised access.	modes in special evidence settings. Patna Vulnerable Witness Guidelines — audio-video recording, live link and restricted access to vulnerable witness evidence. Maharashtra eSakshya Management Rules, 2025 — comparative reference for hash value, secure storage and electronic evidence management.
New Rule.	**Rule 112-C: Sealed and restricted-access records.**(1) A separate sealed or restricted-access folder shall be maintained for records that cannot be kept in the open File A or File B. (2) Such folder may include: (a) identity sheet of child victim or sexual offence victim; (b) vulnerable witness identity details; (c) protected witness identity and witness protection orders; (d) safe address or relocation details; (e) medical, mental-health or reproductive health records; (f) in-camera deposition; (g) sealed statements; (h) sensitive electronic records or private images; (i) national-security/confidential official documents; and (j) any document directed by Court to be sealed. (3) The main File	Patna Vulnerable Witness Guidelines — identity protection, sealed/restricted records, vulnerable witness confidentiality. Witness Protection Scheme, 2018 — protected witness identity and confidentiality. BNSS Section 398 — witness protection scheme; BNSS Chapter XXIX includes witness protection scheme in judgment-related provisions. POCSO

	A index shall only mention "sealed record" or coded reference without disclosing protected identity or sensitive content. (4) Access shall be permitted only by order of Court or as authorised by law. (5) Every opening, inspection, copying, transmission or resealing of sealed record shall be recorded with date, time, person allowed access and purpose. (6) Where record is transmitted to appellate/revisional Court, sealed cover/digital restricted access shall be maintained.	Act, 2012 and special laws protecting identity of victims/witnesses. Patna High Court Circular Order No. 05 of 2024 — non-disclosure of caste/religion/sensitive particulars unless legally necessary.
New Rule.	**Rule 112-D: Pagination, indexing, certification and reconstruction of missing record.** (1) Every Sessions record shall be paginated continuously file-wise and indexed before consignment to record-room or transmission to appellate/revisional Court. (2) The index shall identify missing, torn, illegible, sealed, digital, bulky or separately stored material. (3) The ministerial officer preparing the record shall certify that File A, File B, exhibits, material objects, sealed records and electronic records have been checked and indexed. (4) Before transmission to High Court or appellate/revisional Court, the Presiding Officer or authorised officer shall ensure that the record is complete. (5) If any paper, exhibit or record is missing, damaged, illegible or corrupted, immediate steps shall be taken for reconstruction from certified copies, CIS entries, scanned copies, counsel copies, police/prosecution records, jail records, certified depositions or other	Existing Rule 111 requires ordered arrangement of File A and later addition of appellate/revisional/execution/remissi on papers. BNSS appeal/revision provisions require complete lower Court record for appellate/revisional scrutiny. BSA provisions on public documents, certified copies and presumptions as to judicial records support reconstruction from certified/authenticated sources. Section 530 BNSS — electronic mode and digital record support.

	lawful sources. (6) Reconstruction shall be done by order of the Court with notice to parties where necessary. (7) A memorandum of reconstruction shall be kept in File A.	
New Rule.	**Rule 112-E: Record of custody, bail, bond and surety papers.** (1) File A shall contain or be linked with all core custody-related papers, including remand orders, production warrants, bail orders, bond/surety papers, cancellation/forfeiture orders, jail warrants, release orders and custody calculation. (2) Where the accused is in custody, the file shall contain jail admission/production communication, custody period, set-off details and warrant of commitment. (3) Where the accused is on bail, the file shall contain bail bond, surety bond, verification, surrender direction, appellate bail status and forfeiture/cancellation orders, if any. (4) Where sentence is imposed, File A shall contain set-off/custody calculation, jail warrant, fine/default sentence and compensation direction. (5) These papers shall be updated after appellate/revisional modification, suspension of sentence, remission, commutation or release.	BNSS Chapter XXXV — bail and bonds; BNSS execution provisions on warrants and sentence calculation. BNSS Section 468 — set-off of detention undergone appears in the execution/sentence framework. Existing Rule 111 requires later addition of warrant returned after execution and remission orders. Patna High Court Circular Order No. 02 of 2025 — legal aid information for higher remedies in adverse orders.
New Rule.	**Rule 112-F: Victim, compensation and legal aid record.** (1) File A shall contain orders and communications relating to compensation, victim compensation, rehabilitation, victim/informant notice, legal aid information and victim/witness protection. (2) Where compensation or	BNSS Sections 395 and 396 — compensation and victim compensation scheme; BNSS Section 398 — witness protection scheme;

	victim compensation is awarded/recommended, the file shall contain the order, communication to DLSA/SLSA, acknowledgment, disbursement compliance and any related appellate modification. (3) Where legal aid information is supplied to accused/convict/prisoner for higher remedies, the file shall contain the legal aid coversheet/intimation and proof of supply. (4) Where victim/informant participation or notice is required by special law or appellate/revisional proceeding, the file shall contain proof of service, appearance and submissions, subject to redaction. (5) Identity-sensitive victim compensation and witness protection papers shall be kept in sealed/restricted folder and referred to by coded entry in File A.	BNSS Section 404 — copy of judgment. Bihar Victim Compensation Scheme / Bihar Victim Compensation (Amendment) Scheme, 2019. Patna High Court Circular Order No. 02 of 2025 — legal aid coversheet/intimation for higher remedies. SC/ST Act, 1989 and POCSO Act, 2012 — victim/witness participation and protection requirements. Patna Vulnerable Witness Guidelines.
New Rule.	**Rule 112-G: Language, translation and interpretation record.** (1) Where any evidence, statement, confession, accused examination, judgment, order or document is recorded in a language different from that understood by the accused or witness, the record shall indicate translation or interpretation. (2) File A shall contain interpreter oath/undertaking, translation certificate, translated copy, interpretation note or endorsement, where required. (3) Where evidence has been interpreted to the accused or advocate, the record shall show compliance. (4) Where the accused or witness has disability or	BNSS provisions on language of record, interpretation of evidence to accused/advocate, and judgment translation are part of the trial and judgment framework. BNSS provisions relating to persons with disability and communication assistance in statement/evidence contexts. Rights of Persons with

	communication difficulty, the file shall contain details of interpreter, special educator, sign-language interpreter, communication assistant or other support used. (5) Translations of judgments/orders supplied to accused shall be preserved or noted.	Disabilities Act, 2016 — reasonable accommodation and access to justice. Patna Vulnerable Witness Guidelines — interpreter, translator, special educator and support measures.
New Rule.	**Rule 112-H: Record of special proceedings and special statutes.** (1) Where a Sessions case arises under or involves any special statute, File A shall include papers showing compliance with such statute. (2) In NDPS cases, the file shall include seizure memo, sampling/inventory, FSL report, chain of custody, inventory certification, disposal/destruction orders and compliance with special statutory provisions. (3) In POCSO/sexual offence cases, the file shall include identity-protection orders, in-camera proceedings, support-person details, compensation papers, medical papers in sealed form and restricted-access electronic/audio-video evidence. (4) In SC/ST Act cases, the file shall include victim/informant notice, participation record, compensation/protection documents and special court compliance papers. (5) In cases involving mental illness/unsoundness of mind, the file shall include medical board/psychiatric reports, capacity findings, safe custody/release orders and periodic review papers in restricted form. (6) In cases involving proclaimed	BNSS includes provisions on trial in absentia, evidence in absence, accused persons of unsound mind, compensation, witness protection and electronic mode. NDPS Act, 1985 — special seizure, sampling, report and disposal requirements. SC/ST Act, 1989 — victim/witness rights, participation and protection. POCSO Act, 2012 — child-sensitive procedure and identity protection. Patna Vulnerable Witness Guidelines / Witness Protection Scheme, 2018.

	offenders/trial in absentia, the file shall include warrants, proclamation, publication, intimation to relative/friend, State-funded defence counsel appointment, audio-video deposition record and compliance chart.	
New Rule.	**Rule 112-I: Transmission of Sessions records to appellate, revisional and superior Courts.** (1) Before transmitting a Sessions record to the High Court, appellate Court or revisional Court, the record-keeper shall ensure that File A, File B, exhibits, material object index, sealed folder and electronic record are complete and indexed. (2) The transmission memo shall state: (a) number of volumes; (b) page range of each file; (c) sealed records, if any; (d) electronic records, if any; (e) material objects retained/transmitted; (f) missing or reconstructed papers, if any; (g) custody/warrant status; and (h) urgent category, if any, such as death sentence, custody appeal, POCSO, SC/ST Act, NDPS or vulnerable witness case. (3) Sealed or restricted records shall be transmitted in sealed cover or restricted electronic mode. (4) Acknowledgment of receipt and return shall be preserved. (5) Digital transmission may be made where approved, but physical records/material objects shall be sent where required by Court direction.	Existing Rule 111 requires post-disposal addition of appellate/revisional judgment/order and warrant returned after execution. BNSS appeal and revision provisions require lower Court records to be called, transmitted and acted upon by appellate/revisional Courts. Section 530 BNSS — electronic mode. Patna Vulnerable Witness Guidelines / Witness Protection Scheme, 2018 — sealed transmission of sensitive records.
New Rule.	**Rule 112-J: Consignment, retention and destruction of Sessions records.** (1) After final disposal and completion of necessary post-	Existing Rule 109 defines record-room and record-keeper; Rules 110–112

	disposal papers, the Sessions record shall be consigned to the record-room in accordance with retention/destruction rules and High Court directions. (2) No Sessions record shall be destroyed while appeal, revision, reference, confirmation, retrial, mercy petition, remission, compensation proceeding, property claim, execution proceeding or superior Court proceeding is pending. (3) Records of death sentence, life imprisonment, serious sexual offences, POCSO, SC/ST Act, NDPS, cases involving vulnerable/protected witnesses, mental illness/unsoundness of mind, trial in absentia, and cases involving significant electronic evidence shall be flagged before any destruction. (4) Destruction shall be carried out only after checking File A, File B, exhibit record, property register and digital record status. (5) A destruction list shall be prepared and approved by the competent authority. (6) Digital destruction/deletion shall include deletion certificate/audit log where applicable, while preserving metadata where directed.	classify Session records. BNSS provisions on appeal, revision, execution, remission, property disposal and electronic mode require preservation until proceedings attain finality. Patna Vulnerable Witness Guidelines / Witness Protection Scheme, 2018 — sensitive records require special preservation and restricted destruction.
New Rule.	**Rule 112-K: Inspection, certified copies and redaction of Sessions records.** (1) Inspection and certified copies of Sessions records shall be permitted only in accordance with law, rules and orders of the Court. (2) Before allowing inspection or issuing certified copy, the record section shall verify whether the record contains sealed material,	BNSS Section 404 — copy of judgment to accused and other persons; BNSS appeal/revision provisions require supply of necessary records for remedies. BSA provisions on certified

	protected identity, sexual offence material, child victim identity, vulnerable witness information, medical/mental-health record, electronic sensitive material or witness protection record. (3) Where redaction is required, the copy supplied shall conceal protected identity and sensitive particulars while preserving the substance necessary for legal remedy. (4) Unredacted copies shall be supplied only where legally necessary and subject to Court order or restricted conditions. (5) Digital copies shall be watermarked or access-controlled where required. (6) Copying staff shall not disclose or reproduce sealed/sensitive material except as authorised.	copies and public documents. Patna Vulnerable Witness Guidelines — redaction and restricted access. Witness Protection Scheme, 2018 — confidentiality of protected witness identity. Patna High Court Circular Order No. 05 of 2024 — non-disclosure of caste/religion/sensitive particulars unless necessary.
New Rule.	**Rule 112-L: Record integrity, audit trail and accountability.** (1) Every movement of Sessions record from Court to record-room, appellate/revisional Court, copying section, inspection section, malkhana, digitisation unit or any other branch shall be recorded in a movement register or electronic audit trail. (2) The movement entry shall include date, time, case number, file/volume, person handing over, person receiving, purpose, expected return date and actual return date. (3) Digital access to records shall be role-based and logged. (4) Any alteration, interpolation, missing page, unauthorised removal, seal breakage, digital corruption or suspected tampering shall be reported immediately. (5) The Sessions Judge/District Judge may order	Existing Rule 109 places the record-keeper in immediate charge of records. BNSS appellate/revisional/execution framework depends on authenticity and integrity of trial records. BSA provisions recognise electronic records and presumptions relating to judicial/public records; electronic integrity and certificates are central to admissibility. Section 530 BNSS — electronic mode.

	inspection, inquiry or reconstruction where record integrity is compromised. (6) Sensitive records shall have stricter access logs and sealed-cover entries.	
New Rule.	**Rule 112-M: Registers for Sessions records and digital monitoring.** (1) The record-room shall maintain physical or electronic registers for: (a) Sessions record receipt and consignment; (b) File A/File B classification; (c) sealed/restricted records; (d) electronic/digital evidence folder; (e) material objects/property linkage; (f) appellate/revisional transmission; (g) inspection/copying; (h) missing/reconstructed records; (i) destruction/retention; and (j) record movement. (2) Registers shall contain CNR number, case number, parties, offence, date of judgment, sentence, appeal/revision status, custody status, record volumes, digital-record status, sealed-record flag, property status and final consignment/destruction status. (3) Cases involving custody, death sentence, life imprisonment, POCSO, sexual offences, SC/ST Act, NDPS, vulnerable witnesses, protected witnesses, trial in absentia, unsoundness of mind or significant electronic evidence shall be separately flagged. (4) The Sessions Judge or authorised officer shall periodically inspect record-room registers and digital record integrity. (5) The registers may be integrated with CIS/e-Courts or other High Court-approved digital systems.	Existing Rules 109 to 112 establish record-room, record-keeper, File A and File B structure. BNSS Section 530 — electronic mode; BNSS provisions on appeals, revisions, execution and property disposal require integrated record monitoring. Patna High Court Circular Order No. 06 of 2025 / *CBI v. Mir Usman @ Ara @ Mir Usman Ali* — expedition and monitoring to prevent procedural delay. Patna Vulnerable Witness Guidelines / Witness Protection Scheme, 2018 — restricted record classification and monitoring.

PART III

RECORDS

CHAPTER I

ARRANGEMENTS OF RECORDS OF CRIMINAL PROCEEDINGS

B. MAGISTRATES' RECORDS

WARRANT CASES, SUMMONS CASES, SUMMARY TRIALS AND MISCELLANEOUS INQUIRIES

RULES 113 TO 120-J

This **Part III, Chapter I — B. Magistrates' Records** now covers: - Magistrates' File A and File B structure; warrant cases, summons cases, summary trials and miscellaneous inquiries; dismissed complaints and petty cases; electronic/digital records; sealed and restricted-access records; exhibits and material objects; bail, bond, custody and warrant papers; compensation, victim compensation and legal aid papers; translation/interpretation records; special statute and special proceedings; transmission to appellate/revisional Courts; retention, destruction, inspection, certified copies and redaction; record integrity, movement register and digital monitoring.

Rule 113. The record of every warrant or summons case tried by a Magistrate shall consist of two files, styled and marked respectively **File A** and **File B**.	**Rule 113: Classification of Magistrates' records into File A, File B and linked electronic/sensitive record components.** (1) The record of every warrant case and summons case tried by a Magistrate shall consist of two principal files, styled and marked respectively as **File A** and **File B**. (2) **File A** shall contain the essential judicial record required for trial, judgment, appeal, revision, execution, certified copy, record preservation and future judicial scrutiny. (3) **File B** shall contain	Existing Rule 113, Part III, Chapter I, Patna Criminal Court Rules. BNSS provisions relating to trial of warrant cases by Magistrates, summons cases by Magistrates, summary trials, accused examination, judgments, appeals/revisions and execution

	routine or miscellaneous papers not required to be placed in File A, subject to these Rules and the record-retention/destruction rules approved by the High Court. (4) In addition to File A and File B, the Magistrate's Court may maintain linked physical or electronic components, including: (a) Electronic Record Folder; (b) Sealed/Sensitive Record Folder; (c) Material Object/Property Folder; (d) Bail/Bond/Custody Folder; (e) Compensation/Legal Aid Folder; and (f) Appeal/Revision/Execution Compliance Folder. (5) The title page and table of contents shall mention all linked folders/components and indicate whether any sealed, restricted, digital, electronic, material-object, compensation or custody record exists. (6) Digital records shall, as far as practicable, follow the same indexing sequence as the physical record and shall be linked with the CNR number and CIS/e-Courts record. (7) Records involving children, sexual offences, vulnerable witnesses, protected witnesses, witness protection orders, medical privacy, mental health, sealed evidence or sensitive electronic material shall be maintained in restricted-access form.	require complete and properly arranged Magistrate records. Section 530 BNSS — electronic mode of proceedings. Bharatiya Sakshya Adhiniyam, 2023 recognises electronic/digital records and applies to judicial proceedings. Patna Vulnerable Witness Guidelines / Witness Protection Scheme, 2018 — restricted access and protection of sensitive records.
Rule 114. File A shall include, in order: title-page; table of contents; order-sheet; papers showing	**Rule 114: Contents and arrangement of File A in Magistrates' warrant and summons cases.** (1) File A shall contain the essential judicial record of every warrant case and summons case and shall be arranged in the following order, unless otherwise directed by the Court	Existing Rule 114, Part III, Chapter I, Patna Criminal Court Rules. BNSS provisions on Magistrate trials, summons cases, warrant cases, supply

initiation of proceedings with sanction under Sections 195/196/197 Cr.P.C., complaint/FIR/other police report/Magistrate order and final police report under Section 173 Cr.P.C.; accused statement under Section 252 Cr.P.C. in summons cases; prosecution depositions; absent-witness depositions admitted under Section 32 Evidence Act or otherwise; Chemical Examiner report under Section 293 Cr.P.C. in warrant cases; list of articles proved/exhibited but not attached; charge and plea in warrant cases; documents connected with offence/charge;	or High Court. **A. Preliminary and identification papers**(a) title page in prescribed combined form; (b) table of contents/index; (c) CNR number, case number, complaint/FIR/police station case number, name of Court and names/ranks of parties; (d) order-sheet from institution till final disposal, including electronic order-sheet where maintained. **B. Institution, investigation, cognizance and process papers** (e) complaint, FIR, police report, protest petition, non-cognizable report, Magistrate's order, or other paper on which proceedings were initiated; (f) police report/charge-sheet/final report/supplementary report under BNSS, where applicable; (g) sanction, complaint, authorisation or previous approval required under BNSS, BNS or any special law; (h) cognizance order, process order, summons/warrant initiation order and service/execution reports material to jurisdiction or appearance; (i) supply-of-copies order, appearance record, custody/bail status and production warrant record, where applicable. **C. Plea, accusation and charge** (j) in summons cases, substance of accusation explained to accused and plea/statement of accused; (k) in warrant cases, charge, amended charge or additional charge; (l) record that accusation/charge was read and explained to each accused in a language understood by him; (m) plea of each accused; (n) where there are multiple accused or charges, separate accused-wise and charge-wise record. **D. Core**	of copies, charge/accusation, evidence, accused examination, judgment, sentence and execution. BNSS Sections 335, 336 and 356 — evidence in absence of accused, public servant/expert/police officer evidence, and trial in absentia; relevant for special evidence classification in File A. BNSS Chapter XXIX — judgment, compensation, victim compensation, witness protection, copy of judgment and post-judgment papers. BSA provisions on electronic/digital records, expert opinion, public documents, certified copies and electronic-record certificates. Patna Vulnerable Witness Guidelines / Witness Protection Scheme, 2018 — sealed/restricted sensitive records. Patna High Court Circular Order No. 02 of 2025 — legal aid intimation for

confession/statement under Section 164 Cr.P.C. in warrant cases; accused examination under Section 254 Cr.P.C. in summons cases or Section 313 Cr.P.C. in warrant cases and written statement; defence depositions; memorandum of argument under Section 314 Cr.P.C.; judgment/finding/sentence. Subsequently added: appellate/revisional judgment/order; warrant returned by jail; petition/paper material to decision in warrant cases.	**documents, property and material connected with offence** (o) documents directly connected with offence or charge, including alleged forged document, false-evidence statement, seizure memo, injury report, medical report, site plan, search/seizure papers, arrest memo, forwarding letters, expert requisitions and documents relied upon; (p) list/index of articles connected with offence proved and exhibited but not attached to the record, including weapons, stolen property, counterfeit currency/coin, narcotic samples, digital devices, vehicles, biological samples and other material objects; (q) malkhana/property custody location, seal details and disposal/preservation orders. **E. Prosecution evidence** (r) prosecution witness depositions in chronological order; where cross-examination or re-examination is conducted later, it shall be attached to the original deposition; (s) prior statements used for contradiction/corroboration shall be filed immediately after the deposition to which they relate and marked/noted in the order-sheet; (t) depositions of absent/unavailable witnesses admitted under BSA, BNSS or any special law; (u) evidence recorded on commission, dying declarations, audio-video depositions, evidence recorded in absence of accused and other special evidence, where admitted. **F. Expert, medical, scientific and formal evidence** (v) medical witness deposition, medical report, post-mortem report, injury	higher remedies. Patna High Court Circular Order No. 05 of 2024 — caste/religion/sensitive identity non-disclosure unless legally necessary.

	report and medico-legal documents; (w) Chemical Examiner/FSL/scientific expert/cyber expert/ballistic expert/DNA expert/handwriting/fingerprint/government scientific expert reports admitted or proved according to law; (x) affidavits or formal proof evidence, where permitted; (y) successor public servant/expert/police officer deposition under BNSS, if any; (z) electronic/digital evidence certificate under BSA, hash report, device details and forensic extraction report, where applicable. **G. Confession, accused statement and accused examination** (aa) confession or statement of accused recorded by Magistrate under BNSS and admitted in evidence; (ab) examination of accused under BNSS in summons/warrant cases; (ac) incriminating circumstances put to each accused separately; (ad) written statement/written defence filed by accused. **H. Defence evidence and arguments** (ae) defence witness depositions in chronological order; (af) defence exhibits/documents admitted or proved; (ag) written memorandum of argument submitted by prosecution/defence/victim, if any. **I. Judgment, sentence and final orders** (ah) judgment, finding and sentence/final order; (ai) compensation/victim compensation order; (aj) set-off/custody calculation, if sentence of imprisonment is imposed; (ak) fine/default sentence direction; (al) disposal order regarding property/material	

	objects/electronic records; (am) release/commitment/warrant direction; (an) legal aid intimation/coversheet, where required. **J. Post-disposal papers to be subsequently added** (ao) copy of appellate/revisional judgment/order; (ap) warrant returned by jail authorities after execution; (aq) release warrant, fresh warrant, revised warrant or modified sentence communication; (ar) remission/suspension/commutation order, if any; (as) compliance report regarding compensation, property disposal, release, retrial, further inquiry or other consequential direction; (at) any petition, report or paper bearing on the offence charged and material to explain or justify the decision, especially in warrant cases. (2) The title page and table of contents in Magistrates' records shall be written in English in the prescribed combined form and may also be generated electronically. (3) Every File A paper shall be paginated, indexed and arranged in the sequence prescribed above. (4) Where any paper is maintained only electronically, the index shall mention digital file name, storage location, hash/certificate details, access level and whether it is sealed/restricted. (5) In sexual offence, POCSO, vulnerable witness, protected witness, mental-health, medical privacy or sensitive electronic-record cases, the public/open File A shall	

	contain redacted references and the unredacted material shall be kept in sealed/restricted folder.	
Rule 115. File B shall contain: title-page; table of contents; and all other papers not included in File A, except documents admitted as evidence during trial, i.e., exhibits, which are dealt with separately.	**Rule 115: Contents and arrangement of File B in Magistrates' cases.** (1) File B shall contain papers not required to be included in File A and not forming part of admitted exhibits, unless the Court directs otherwise. (2) File B may contain: (a) title page; (b) table of contents/index; (c) routine process papers not material to jurisdiction or final decision; (d) routine adjournment petitions; (e) miscellaneous applications not relied upon in judgment/final order; (f) unused summonses/warrants/notices; (g) routine correspondence and reminders; (h) inspection and certified copy applications not necessary for appellate/revisional record; (i) vakalatnama/memo of appearance where not required in File A; (j) administrative papers; and (k) other non-evidentiary papers. (3) File B shall not contain admitted exhibits, depositions, core orders, charge/plea, accused examination, judgment, sentence, warrant, custody, compensation, property-disposal orders, sealed vulnerable witness/protected witness material, or any paper required for appeal/revision/execution. (4) Where a File B paper later becomes material to appeal, revision, execution, compensation, witness protection, property disposal or any judicial order, it may be transferred to File A or linked with File A by order/endorsement. (5) File B shall	Existing Rule 115, Part III, Chapter I, Patna Criminal Court Rules. BNSS provisions on appeals, revisions, execution, warrants and property disposal require preservation of core judicial records until finality. BSA provisions on admitted documentary/electronic evidence require exhibits to be preserved separately and not treated as routine papers. Patna Vulnerable Witness Guidelines / Witness Protection Scheme, 2018 — restricted handling of protected identity and sensitive records.

	be paginated and indexed separately. (6) File B papers may be subject to shorter retention/destruction schedule as per High Court rules, but no destruction shall occur while appeal, revision, execution, property claim, compensation proceeding or superior Court proceeding is pending. (7) Sensitive personal information, protected identity, caste/religion details, medical information and private electronic data shall be redacted or restricted even if placed in File B.	
Rule 116. (a) For complaints dismissed under Section 203 Cr.P.C. where no inquiry is made under Section 202 Cr.P.C., title-page/table of contents/order-sheet need not be prepared; complaints with order shall be formed into weekly/monthly/quarterly files, each file forming one record with title-page/table of contents; single entry shall be made in list sent to District	**Rule 116: Records of complaints dismissed at preliminary stage and petty municipal/police cases.** (1) Where a complaint is dismissed at the preliminary stage under the corresponding provision of BNSS and no inquiry/investigation is directed before dismissal, a full File A/File B record need not be prepared unless the Magistrate directs otherwise. (2) Such complaint, statement if any, documents filed, and the order of dismissal shall be arranged in weekly, monthly or quarterly dismissal files, as convenient, with title page and index for the batch file. (3) Each batch file shall constitute one record for record-room purposes and a single entry may be made in the consignment list, subject to digital indexing by complaint number, complainant name/code, date and order. (4) Where an inquiry/investigation has been directed before dismissal, or where the order is likely to be challenged, or where the case involves serious offence, sexual offence,	Existing Rule 116, Part III, Chapter I, Patna Criminal Court Rules. BNSS provisions corresponding to complaint examination, postponement of issue of process/inquiry or investigation, dismissal of complaint, and issue of process. BNSS appeal/revision provisions require preservation where dismissal may be challenged. Section 530 BNSS — electronic mode and digital records. Patna Vulnerable Witness Guidelines / Witness Protection Scheme, 2018 — sensitive complaints and protected identity.

Record Room; files preserved for one year from latest order. (b) No title-page/table of contents need be attached in cases under Municipal and District Board bye-laws or Section 34 of the Police Act.	child/vulnerable victim, SC/ST Act allegation, domestic violence-related allegation, mental illness, protected witness, public servant sanction, or important documents, the Magistrate may direct preparation of an individual record with necessary papers. (5) Complaints dismissed at preliminary stage shall be preserved for the period prescribed by High Court rules; the earlier one-year rule may continue unless modified by High Court retention schedule, but no record shall be destroyed while revision, petition, complaint restoration, or superior Court proceeding is pending. (6) Petty municipal, local authority, traffic, police petty cases or similar notified cases may be kept in simplified record form, unless the Court directs full record due to contested facts, conviction, appealability, fine recovery, seizure/property, or special circumstances. (7) Digital register entries shall be maintained for all dismissed complaints and petty-case records. (8) Identity-protected or sensitive complaints shall be indexed by coded reference and kept with restricted access.	
Rule 117. Deleted.	**Rule 117: Register and indexing of Magistrates' records.** (1) Every Magistrate's Court shall maintain a physical or electronic register for warrant cases, summons cases, summary trials, dismissed complaints, petty cases and miscellaneous inquiries. (2) The register shall record: (a) CNR number; (b) case number; (c) complaint/FIR/police station	Existing Rule 117 is deleted. BNSS provisions on Magistrate trials, appeals, revisions, execution and electronic proceedings require proper indexing and tracking. Section 530

	case number; (d) name/code of complainant, informant, accused and victim where applicable; (e) offence/section; (f) case category; (g) File A/File B status; (h) custody/bail status; (i) exhibit/material object status; (j) sealed/sensitive record flag; (k) judgment/final order date; (l) appeal/revision/execution status; (m) consignment date; and (n) destruction/retention status. (3) Cases involving custody, women/children, sexual offences, POCSO, SC/ST Act, NDPS, domestic violence-related offences, vulnerable/protected witnesses, mental illness, electronic evidence, trial in absentia or proclaimed offender shall be separately flagged. (4) The register may be integrated with CIS/e-Courts and other High Court-approved digital systems.	BNSS — electronic mode. Patna High Court Circular Order No. 06 of 2025 / *CBI v. Mir Usman @ Ara @ Mir Usman Ali*— expedition and monitoring of criminal proceedings.
Rule 118. Deleted.	**Rule 118: Sealed, sensitive and restricted-access Magistrates' records.** (1) A separate sealed or restricted-access folder shall be maintained where any Magistrate's case contains protected identity, child victim records, sexual offence material, vulnerable witness record, witness protection order, mental-health/medical record, private electronic data, national-security material or any record directed by Court to be sealed. (2) The main File A/File B index shall only mention the existence of sealed record by coded reference, without disclosing sensitive particulars. (3) Access, inspection, copying, transmission or opening of sealed record shall be permitted only by order of Court or	Existing Rule 118 is deleted. Patna Vulnerable Witness Guidelines — identity protection, sealed/restricted records and confidentiality. Witness Protection Scheme, 2018 — protected witness identity and confidentiality. BNSS provisions on witness protection and electronic mode. POCSO Act, 2012 and SC/ST Act, 1989 —

	as authorised by law. (4) Every opening, inspection, copying, transmission or resealing shall be recorded with date, time, person allowed access and purpose. (5) Where the record is transmitted to appellate/revisional/superior Court, sealed cover or restricted electronic access shall be maintained. (6) Breach, loss, unauthorised access or damage of sealed record shall be reported immediately to the Presiding Officer and Sessions Judge/District Judge.	victim/witness protection and restricted disclosure.
Rule 119. In summary trials, File A should contain only the form of summary trial kept under Sections 263 or 264 Cr.P.C., and whatever else the Court may record under those sections; all other papers connected with trial should be placed in File B. Unless otherwise ordered, File A alone should be forwarded to Court of Appeal or Revision. No title-page, table of contents or	**Rule 119: Records in summary trials.** (1) In cases tried summarily, File A shall ordinarily contain the summary trial record in the form prescribed under BNSS, together with the judgment in cases tried summarily and any additional record made by the Court. (2) File A in a summary trial shall include: (a) case number and CNR number; (b) date of offence/report/complaint; (c) complainant/informant and accused particulars, subject to redaction where required; (d) offence complained of and offence proved; (e) plea of accused; (f) finding; (g) sentence or final order; (h) fine/compensation/payment details; (i) custody/bail status, if any; (j) property/exhibit order, if any; and (k) any additional evidence/order required by the Magistrate. (3) All other papers connected with the summary trial may be placed in File B unless the Court directs inclusion in File A. (4) In absence of express order to the contrary, File A alone may be forwarded to appellate/revisional	Existing Rule 119, Part III, Chapter I, Patna Criminal Court Rules. BNSS Sections 286 and 287 correspond to record in summary trials and judgment in cases tried summarily. (North Central Railways) BNSS Section 530 — electronic mode of proceedings and records. BNSS appeal/revision provisions require adequate record for appellate/revisional scrutiny. Patna Vulnerable Witness Guidelines / Witness Protection Scheme, 2018 — redaction and restricted record handling.

order-sheet need be prepared.	Court; however, if File B contains any paper relevant to the challenge, it shall also be forwarded or digitally made available. (5) Where the case involves sentence of imprisonment, substantial fine, compensation, property seizure, electronic evidence, vulnerable witness, child victim, special statute or appeal/revision, the Court shall prepare sufficient title/index/order entries to enable appellate scrutiny. (6) Summary trial records may be maintained electronically in prescribed format. (7) In identity-protected cases, public summary record shall be redacted and unredacted material kept in sealed/restricted folder.	
Rule 120. The rules relating to records of summons cases shall apply to records of inquiries under Section 107 Cr.P.C. and other proceedings to which summons-case procedure applies; rules relating to warrant cases shall apply to records of inquiries in other	**Rule 120: Records of miscellaneous inquiries and preventive/security proceedings.** (1) The rules relating to records of summons cases shall apply, with necessary modifications, to records of security/preventive inquiries and other proceedings under BNSS to which summons-case procedure applies. (2) The rules relating to records of warrant cases shall apply, with necessary modifications, to records of inquiries or proceedings where warrant-case procedure or fuller record is required. (3) In security/preventive proceedings, File A shall include: (a) police report/information/complaint initiating proceeding; (b) order requiring bond/security; (c) notice issued; (d) service report; (e) response/show cause; (f) evidence recorded; (g)	Existing Rule 120, Part III, Chapter I, Patna Criminal Court Rules. BNSS provisions corresponding to security for keeping peace/good behaviour, bond/security proceedings, miscellaneous proceedings and preventive jurisdiction. BNSS provisions on detention for failure to furnish security and related superior Court orders connect with proposed Chapter XI Rule 70. Article 39-A and

cases, with necessary modifications.	bond/surety documents; (h) legal aid intimation, where person is unable to furnish security due to poverty/vulnerability; (i) detention order for failure to furnish security, if any; (j) superior Court order/confirmation/modification, if any; (k) release order; and (l) final order/compliance. (4) In proceedings involving public nuisance, urgent cases, attachment, possession, local inspection, forfeiture of bond, maintenance, domestic violence-related record, or other miscellaneous criminal inquiry, the file shall contain all papers necessary for revision, execution and compliance. (5) Where the proceeding concerns vulnerable persons, women, children, elderly persons, persons with disability, mental illness, protected witnesses or identity-sensitive material, the record shall be maintained with confidentiality. (6) Miscellaneous inquiry records may be maintained electronically and shall be indexed under the relevant BNSS proceeding type.	Legal Services Authorities Act, 1987 — legal aid where inability to furnish security leads to custody. Patna Vulnerable Witness Guidelines / Witness Protection Scheme, 2018 — confidentiality and restricted access.
New Rule.	**Rule 120-A: Separate handling of admitted exhibits and material objects in Magistrates' cases.** (1) Documents admitted in evidence as exhibits shall be arranged, indexed and preserved separately and shall not be mixed with File B routine papers. (2) Every exhibit shall be identified by exhibit number, party producing it, date of marking, witness through whom proved/admitted, description, page count, language and whether original/copy/certified copy/electronic printout.	Existing Rules 114(8) and 115 require list of articles and exclude admitted exhibits from File B. BNSS Chapter XXXVI — disposal of property. BSA provisions on documentary and electronic evidence. Proposed Chapter XVII — Disposal of Property.

	(3) Material objects shall be entered in the material object/property register and cross-referenced in File A. (4) Where material objects cannot be physically attached to the record, File A shall contain a material object index, photograph/video/inventory, custody location, seal details and disposal order. (5) Sensitive exhibits shall be sealed/restricted. (6) No exhibit or material object shall be returned, destroyed, auctioned, deleted or disposed of until appeal/revision period expires, or where appeal/revision is filed, until final disposal or further order.	
New Rule.	**Rule 120-B: Electronic and digital evidence folder in Magistrates' cases.** (1) Where electronic or digital evidence forms part of a Magistrate's case record, the Court shall maintain an Electronic/Digital Evidence Folder linked with File A. (2) The folder shall include, where applicable: exhibit number, device description, make/model/serial number/IMEI/MAC address, file name, format, storage medium, hash value and algorithm, BSA certificate, forensic report, transcript/printout, seizure memo, chain of custody, access-credential sealed cover, inspection/copying order and disposal order. (3) Audio-video recordings of evidence, vulnerable witness depositions, commission evidence, electronic statements and remote testimony shall be indexed with date, witness number, duration, file name, storage	BSA recognises electronic/digital records; official text states that the Act applies to judicial proceedings and contains the general evidence framework. Section 63 BSA concerns admissibility/certificate for electronic records; official and judicial training materials explain electronic-record certificate requirements. Section 530 BNSS — electronic mode. Patna Vulnerable Witness Guidelines —

	location and access restriction. (4) Sensitive electronic material shall be stored with restricted access and shall not be copied, supplied or uploaded except by Court order. (5) Digital records shall be backed up and protected against alteration, deletion, corruption or unauthorised access.	audio-video/live-link records and restricted access.
New Rule.	**Rule 120-C: Bail, bond, custody and warrant record in Magistrates' cases.** (1) File A or linked Bail/Bond/Custody Folder shall contain all core custody-related papers, including arrest/remand orders, production warrants, bail orders, bail bonds, surety bonds, bond verification, cancellation/forfeiture orders, release orders, jail warrants and custody calculation. (2) Where the accused is in custody, the record shall indicate custody period, jail location, production mode and set-off relevance, where sentence is imposed. (3) Where the accused is on bail, the record shall contain bond/surety documents and compliance conditions. (4) Where bonds are taken in security/preventive proceedings or for appearance, the record shall show period, amount, surety, breach allegation and forfeiture/release status. (5) Custody or release communications may be physical or electronic and proof of acknowledgment shall be preserved.	BNSS Chapter XXXV — bail and bonds; BNSS provisions on warrants, remand, custody and release. Section 530 BNSS — electronic mode. Proposed Chapter XI — Execution, including electronic warrants, custody calculation and over-detention prevention.
New Rule.	**Rule 120-D: Victim, compensation and legal aid record in Magistrates' cases.** (1) File A shall contain orders and	BNSS judgment/compensation and victim compensation provisions.

	communications relating to compensation, victim compensation, restitution, legal aid, victim/informant notice and victim/witness protection. (2) Where compensation is awarded or recommended, the file shall contain communication to DLSA/SLSA, acknowledgment, disbursement compliance and appellate/revisional modification, if any. (3) Where legal aid information is supplied to accused/convict/prisoner for appeal/revision/higher remedy, the file shall contain the legal aid coversheet/intimation and proof of supply. (4) Where victim/informant participation or notice is required, the file shall contain proof of service, appearance and submissions, subject to redaction. (5) Identity-sensitive victim compensation and witness protection papers shall be placed in sealed/restricted folder.	Article 39-A and Legal Services Authorities Act, 1987. Patna High Court Circular Order No. 02 of 2025 — legal aid information for higher remedies. Bihar Victim Compensation Scheme / Bihar Victim Compensation (Amendment) Scheme, 2019. Patna Vulnerable Witness Guidelines / Witness Protection Scheme, 2018.
New Rule.	**Rule 120-E: Language, translation and interpretation record in Magistrates' cases.** (1) Where any accusation, charge, evidence, confession, accused statement, judgment, order or document is recorded in a language different from that understood by the accused or witness, the record shall show translation or interpretation. (2) File A shall include interpreter oath/undertaking, translation certificate, translated copy, interpretation note or endorsement, where required. (3) Where the accused or witness has disability or communication difficulty, the file shall contain details of interpreter, special educator,	BNSS provisions on language of record, interpretation of evidence and supply/copy of judgment. Rights of Persons with Disabilities Act, 2016 — reasonable accommodation and access to justice. Patna Vulnerable Witness Guidelines — interpreter, translator, special educator and support measures.

	sign-language interpreter, communication assistant or other support used. (4) Translations of judgments/orders supplied to accused shall be preserved or noted.	
New Rule.	**Rule 120-F: Record of special statute and special proceedings before Magistrates.** (1) Where a Magistrate's case arises under or involves a special statute, File A shall include papers showing compliance with such statute. (2) In NDPS, Excise, Arms, Forest/Wildlife, Food Safety, Drugs, Motor Vehicles, municipal/local authority, cyber/electronic evidence, POCSO, SC/ST Act or other special statute matters, the file shall contain sanction/authorisation, seizure/sampling documents, expert reports, special notices, compensation/protection papers and property-disposal orders as applicable. (3) In proceedings involving persons of unsound mind/mental illness, the file shall contain medical assessment, capacity finding, safe custody/release order and review papers in restricted form. (4) In proceedings involving proclaimed offenders/trial in absentia/evidence in absence, the file shall contain warrant, proclamation, publication, State-funded counsel appointment, audio-video deposition record and compliance chart.	BNSS special procedure provisions on accused of unsound mind, evidence in absence, proclaimed offender trial in absentia and electronic mode. NDPS Act, 1985; SC/ST Act, 1989; POCSO Act, 2012 and other special statutes. Patna Vulnerable Witness Guidelines / Witness Protection Scheme, 2018.
New Rule.	**Rule 120-G: Transmission of Magistrates' records to appellate, revisional and superior Courts.** (1) Before transmitting a	Existing Rule 119 states that in summary trials, File A alone should

	Magistrate's record to appellate, revisional or superior Court, the record-keeper shall ensure that File A, File B, exhibits, material object index, sealed folder and electronic record are complete and indexed. (2) The transmission memo shall state number of volumes, page range, sealed records, electronic records, material objects retained/transmitted, missing/reconstructed papers, custody/warrant status and urgent category, if any. (3) In summary trials, File A alone may be forwarded unless File B or linked records contain material relevant to the appeal/revision. (4) Sealed or restricted records shall be transmitted in sealed cover or restricted electronic mode. (5) Acknowledgment of receipt and return shall be preserved.	ordinarily be forwarded to appellate/revisional Court. BNSS appeal and revision provisions require calling for/transmission of lower Court records. Section 530 BNSS — electronic mode. Patna Vulnerable Witness Guidelines / Witness Protection Scheme, 2018 — sealed transmission of sensitive records.
New Rule.	**Rule 120-H: Consignment, retention and destruction of Magistrates' records.** (1) After final disposal and completion of post-disposal papers, Magistrates' records shall be consigned to record-room according to retention/destruction rules and High Court directions. (2) No record shall be destroyed while appeal, revision, execution, compensation proceeding, property claim, retrial, further inquiry or superior Court proceeding is pending. (3) Records involving imprisonment, substantial fine, compensation, property, sexual offences, POCSO, SC/ST Act, NDPS, vulnerable/protected witnesses, mental illness, trial in absentia or significant electronic evidence shall	Existing Rule 116 provides one-year preservation for certain dismissed complaints; broader Magistrate record retention must align with High Court retention rules and pending remedies. BNSS appeal, revision, execution and property-disposal provisions require preservation until finality. Section 530 BNSS — electronic records.

	be flagged before destruction. (4) Destruction shall be carried out only after checking File A, File B, exhibit record, property register and digital record status. (5) Digital deletion shall be supported by deletion certificate/audit log where applicable, subject to High Court directions.	
New Rule.	**Rule 120-I: Inspection, certified copies and redaction of Magistrates' records.** (1) Inspection and certified copies of Magistrates' records shall be permitted only in accordance with law, rules and orders of the Court. (2) Before inspection or certified copy, the record section shall verify whether the record contains sealed material, protected identity, sexual offence material, child victim identity, vulnerable witness information, medical/mental-health record, electronic sensitive material or witness protection record. (3) Redacted copies shall be supplied where protected identity or sensitive material must be concealed. (4) Unredacted copies shall be supplied only where legally necessary and subject to Court order/restricted conditions. (5) Digital copies may be watermarked or access-controlled where required.	BNSS copy/judgment and appellate/revisional provisions require supply of records for legal remedies. BSA provisions on public documents and certified copies. Patna Vulnerable Witness Guidelines / Witness Protection Scheme, 2018 — redaction and restricted access. Patna High Court Circular Order No. 05 of 2024 — non-disclosure of caste/religion/sensitive particulars unless necessary.
New Rule.	**Rule 120-J: Record integrity, movement register and digital monitoring.** (1) Every movement of Magistrate's record from Court to record-room, appellate/revisional Court, copying section, inspection section, digitisation unit, malkhana or any other branch shall be	Existing Rules 113–120 classify Magistrates' records and summary/miscellaneous records. BNSS appeal/revision/execution

	recorded in a movement register or electronic audit trail. (2) The movement entry shall include date, time, case number, file/volume, person handing over, person receiving, purpose, expected return date and actual return date. (3) Digital access to Magistrate records shall be role-based and logged. (4) Any alteration, interpolation, missing page, unauthorised removal, seal breakage, digital corruption or suspected tampering shall be reported immediately to the Presiding Officer and Chief Judicial Magistrate/Sessions Judge. (5) The Chief Judicial Magistrate or authorised officer may periodically inspect Magistrate record registers and digital record integrity.	framework depends on integrity of trial records. BSA recognises electronic/digital records; integrity and certification are central to proof. Section 530 BNSS — electronic mode.

PART III

RECORDS

CHAPTER I

ARRANGEMENTS OF RECORDS OF CRIMINAL PROCEEDINGS

C. RECORDS OF APPELLATE AND REVISIONAL COURTS

RULES 121 TO 121-H

This **Part III, Chapter I — C. Records of Appellate and Revisional Courts** now covers: arrangement of appellate/revisional records;, single-file structure with linked lower Court record; appeal, revision and reference records; victim appeals and custody appeals; jail appeals and legal aid papers; maintainability papers in revision; lower Court record movement and paper-book linkage; sealed/protected records and redaction; electronic/digital evidence linkage; custody, bail, suspension and warrant papers; certification/communication of appellate/revisional orders; compliance reports; appellate/revisional record register, digital monitoring and retention.

Rule 121. The record of the Appellate or Revisional Court shall be arranged in the same way as that of the Court of Original Jurisdiction, except that there shall be no separate File B, the papers which would belong to the B file being attached to the A file.	**Rule 121: Arrangement of records of appellate and revisional Courts.** (1) The record of every Appellate Court or Revisional Court shall be arranged, as far as practicable, in the same manner as the record of the Court of original jurisdiction, subject to the modifications contained in this Rule. (2) Ordinarily, there shall be no separate File B in the appellate or revisional record, and papers which would otherwise belong to File B may be attached to the principal appellate/revisional file, unless the Court directs separate bundling for convenience, confidentiality or digitisation. (3) The appellate/revisional record shall contain, as far as applicable, the following papers in proper order: (a) title page and table of contents/index; (b) appeal/revision number and CNR number; (c) lower Court case number, police station case number/complaint number and CNR number; (d) memorandum of appeal/revision petition; (e) certified/authenticated copy of judgment, final order, sentence order or impugned order; (f) grounds of appeal/revision; (g) limitation petition/delay condonation petition, if any; (h) affidavit regarding previous revision/appeal or connected proceeding, where required; (i) vakalatnama/memo of appearance/legal aid appointment; (j) custody/bail status of appellant/applicant/accused; (k) application for suspension of sentence, bail, stay or interim relief; (l) orders calling for lower Court record; (m) lower Court record	Existing Rule 121, Part III, Chapter I, Patna Criminal Court Rules. BNSS Chapter XXXI deals with appeals, and Chapter XXXII deals with reference and revision. The official BNSS text contains appeal provisions from Sections 413 onwards and revision/reference provisions up to Section 445. Section 530 BNSS permits trials, inquiries and proceedings, including appellate proceedings and issuance/service/execution of process, to be held in electronic mode. Proposed Part III Rules 109–120 regarding original Sessions/Magistrates' records, File A/File B classification, sealed records, electronic evidence folders and transmission of records.

	transmission memo and acknowledgment; (n) notices issued and service reports; (o) victim/informant/complainant notice and participation papers, where applicable; (p) Public Prosecutor/State response, objection or written submission; (q) paper-book, if prepared; (r) additional evidence application and orders, if any; (s) supplementary record/additional evidence recorded in appeal/revision; (t) order-sheet of appellate/revisional Court; (u) written submissions/memorandum of arguments; (v) final appellate/revisional judgment or order; (w) certified copy/communication sent to lower Court; (x) release warrant, fresh warrant, revised warrant, surrender order or re-commitment order, if any; (y) compliance report from lower Court/jail/executing authority; and (z) any subsequent High Court/Supreme Court order received. (4) Where the appeal or revision arises from a Sessions case, warrant case, summons case, summary trial, miscellaneous inquiry or special statute proceeding, the appellate/revisional record shall be indexed in a manner that clearly links the impugned order with the relevant lower Court record. (5) If the lower Court record contains sealed, restricted, electronic, digital, audio-video, material-object, property or vulnerable witness records, the appellate/revisional index shall specifically mention their existence without disclosing protected identity or confidential particulars. (6) The final appellate/revisional order shall be	

	certified or communicated to the lower Court without delay for conformable action. (7) Digital appellate/revisional records may be maintained in CIS/e-Courts or any High Court-approved electronic system with role-based access and audit trail.	
New Rule.	**Rule 121-A: Appeal record in conviction, acquittal, sentence and victim appeals.** (1) In every criminal appeal, the appellate record shall be arranged so that the Court can readily identify the impugned judgment/order, parties, statutory provision under which appeal lies, custody status, sentence status and lower Court record. (2) In conviction appeals, the record shall include the conviction judgment, sentence order, custody certificate where required, bail/suspension application, jail appeal papers where applicable, legal aid documents and lower Court record transmission details. (3) In appeals against acquittal or inadequacy of sentence, the record shall include the order granting leave/special leave, if required by law, notice to accused, grounds of appeal, paper-book/lower Court record and service report. (4) In victim appeals, the record shall include proof of victim status, impugned order, grounds of appeal, compensation-related papers, service on accused/State and any redaction/protection order. (5) In appeals involving death sentence, life imprisonment, sexual offences, POCSO, SC/ST Act, NDPS, custody appellants or vulnerable/protected	BNSS Chapter XXXI — Appeals, including provisions on no appeal except as provided, appeals from convictions, appeals by State, appeals in case of acquittal, petition of appeal, procedure when appellant is in jail, notice of hearing, appellate powers and suspension of sentence. Section 413 BNSS includes the victim's right to appeal against acquittal, conviction for lesser offence or inadequate compensation. Section 530 BNSS — electronic appellate proceedings and electronic communication. Patna Vulnerable Witness Guidelines / Witness Protection Scheme, 2018 — identity protection and restricted

	witnesses, the record shall be flagged for priority and restricted handling where required. (6) Where appeal is presented from jail, the forwarding memo, date of presentation to jail officer, date of dispatch, legal aid requirement and acknowledgment shall form part of the appellate record.	access where appeal records contain protected victim/witness material.
New Rule.	**Rule 121-B: Revision record and maintainability papers.** (1) In every revision, the revisional record shall include the revision petition, certified/authenticated copy of impugned order, grounds of revision, affidavit of previous filing, limitation/delay petition if any, and documents relied upon. (2) The record shall clearly show whether the revision is before the Sessions Judge or High Court, whether any earlier revision has been filed by the same person before the other forum, and whether an appeal lies or has been filed. (3) Where the revision challenges an interlocutory order, the maintainability objection or finding shall be placed prominently in the record. (4) Where the applicant is in custody, the record shall include custody status, jail location, bail/suspension prayer, legal aid requirement and any release/suspension order. (5) Where the revisional Court calls for lower Court record, the requisition, transmission memo, receipt, return and compliance order shall be placed in the revisional record. (6) Where the final revision order requires lower Court action, the	Existing Rule 121 requires appellate/revisional records to be arranged like original records, with File B papers attached to File A. BNSS Chapter XXXII — Reference and Revision, including calling for records, revisional powers, limits of revision, hearing of parties and certification of High Court's order to lower Court. Proposed Chapter XIII Rules 92 and 94-A to 94-F — affidavit of previous revision, maintainability scrutiny, custody matters, notice before prejudicial orders, limits of revision, digital/sealed record handling and revision register.

	certification/communication to the lower Court and compliance report shall be added to the record.	
New Rule.	**Rule 121-C: Reference record.** (1) Where any Court makes a reference to the High Court, the record shall contain the statement of case, facts necessary for decision, precise question referred, statutory provision involved, opinion of the referring Court, relevant orders, record index and list of papers transmitted. (2) Where the reference concerns validity of any Act, Ordinance, Regulation or statutory provision, the record shall identify the provision challenged, grounds of challenge, necessity of deciding the question, and interim order/stay, if any. (3) After receipt of the High Court's decision, the referring Court's order disposing of the case in conformity with the High Court decision shall be added to the record. (4) Where the reference record contains sealed or sensitive material, such material shall be separately indexed and transmitted in sealed/restricted form.	BNSS Chapter XXXII includes reference provisions and disposal of case according to High Court's decision. Proposed Chapter XIII Rule 93 — reference to High Court on question of validity of law and disposal according to High Court decision. Section 530 BNSS — electronic mode of record transmission and proceedings.
New Rule.	**Rule 121-D: Lower Court record, paper-book and exhibit linkage.** (1) Whenever lower Court record is called for in appeal, revision or reference, the appellate/revisional Court shall maintain a record movement note showing the date of requisition, date of dispatch, date of receipt, number of volumes, page range, sealed records, electronic records and material objects. (2) If a paper-book is prepared,	Existing Rule 121 links appellate/revisional arrangement to the original jurisdiction record. BNSS appeal/revision provisions require lower Court records to be called, examined and acted upon by

	it shall indicate the source page of the lower Court record and shall separately identify judgment, evidence, exhibits, accused statement, charge, sentence order and material orders. (3) Material objects, bulky exhibits, electronic devices, narcotic samples, weapons, biological samples or sensitive exhibits shall not be transmitted unless required; where not transmitted, the record shall indicate custody location, exhibit number, photograph/inventory and availability for inspection. (4) Electronic records shall be linked through file name, exhibit number, hash value, certificate details, storage location and access restriction. (5) Where any page, exhibit or digital file is missing, illegible, damaged or corrupted, the appellate/revisional Court may direct reconstruction, certification or production from the lower Court, prosecution, police, jail, FSL or other lawful source.	appellate/revisional Courts. Bharatiya Sakshya Adhiniyam, 2023 provisions on electronic/digital records and certificates require proper identification, preservation and linkage of electronic records. Proposed Part III Rules 112-A, 112-B, 120-A and 120-B — exhibit/material object and electronic/digital evidence folders.
New Rule.	**Rule 121-E: Sealed, sensitive and protected records in appeals and revisions.**(1) Where the appellate or revisional record contains records relating to sexual offences, children, vulnerable witnesses, protected witnesses, witness protection orders, medical privacy, mental health, private electronic material, sealed statements or identity-protected persons, such records shall be maintained in sealed or restricted-access form. (2) The main appellate/revisional index shall mention the existence of sealed record by coded reference only and shall not	Patna Vulnerable Witness Guidelines — confidentiality, special handling and restricted access for vulnerable witness records. Witness Protection Scheme, 2018 — protected identity and confidentiality. POCSO Act, 2012 and SC/ST Act, 1989 — victim/witness protection and identity safeguards.

	disclose protected identity, safe address, school, workplace, shelter home, medical details or confidential witness protection information. (3) Inspection, copying, digital access or transmission of sealed material shall be permitted only by Court order or as authorised by law. (4) If a redacted paper-book or redacted certified copy is prepared, the redaction shall conceal protected identity while preserving the material necessary for legal remedy. (5) Every opening, inspection, copying, transmission or resealing of sealed record shall be logged. (6) Breach, loss or unauthorised disclosure of sealed/protected material shall be reported to the Presiding Officer and District Judge/High Court, as appropriate.	Section 530 BNSS — electronic proceedings require secure and restricted digital access where records are sensitive.
New Rule.	**Rule 121-F: Custody, bail, suspension of sentence and warrant papers in appellate/revisional records.** (1) In every appeal or revision involving an accused, convict, appellant or applicant in custody, the record shall prominently indicate custody status, jail name, date of conviction/sentence, period undergone, set-off claimed, sentence remaining and pending bail/suspension prayer. (2) Orders relating to suspension of sentence, bail, release, surrender, cancellation of bail, forfeiture of bond, re-commitment, revised warrant, fresh warrant or release warrant shall be placed in the appellate/revisional record. (3) Where an appellant or applicant is unable to furnish bail/surety, the	BNSS appellate provisions include suspension of sentence pending appeal and release on bail; revision provisions also permit suspension of execution and release on bond/bail bond while record is examined. Section 530 BNSS supports electronic communication of custody, warrant and release orders. Proposed Chapter XII Rules 81, 83, 86, 87 and 88 — appellate bail,

	report from the receiving Court/jail and legal aid intimation shall be added to the record. (4) Where appellate/revisional order modifies conviction, sentence, fine, compensation, default sentence or custody calculation, the fresh/revised warrant and communication to jail/lower Court shall be preserved. (5) Acknowledgment from jail or lower Court shall be added to the record.	fresh/release warrants, surrender/re-commitment and sentence computation. Proposed Chapter XIII Rule 94-B — custody matters, suspension of execution and release pending revision.
New Rule.	**Rule 121-G: Certification, communication and compliance after appellate/revisional order.** (1) After disposal of appeal, revision or reference, the final judgment/order shall be certified or communicated to the lower Court without delay. (2) Where the order affects custody, release, retrial, further inquiry, sentence, fine, compensation, property, witness protection, bail bond, warrant or record correction, the appellate/revisional Court shall issue or direct issuance of necessary consequential process. (3) The record shall contain proof of communication to the lower Court, jail authority, prosecution, Legal Services Authority, victim/informant/complainant where required, and any other authority concerned. (4) Where compliance report is required, the same shall be monitored and added to the record. (5) Where the order is adverse to a person in custody or unrepresented person, legal aid intimation for further remedies shall be recorded where applicable.	BNSS appellate and revision chapters require appellate/revisional orders to be certified or communicated to lower Court and acted upon by the lower Court. Section 530 BNSS — electronic communication and appellate proceedings by electronic mode. Patna High Court Circular Order No. 02 of 2025 — legal aid information/coversheet for higher remedies. Proposed Chapter XII Rule 82 and Chapter XIII Rule 94 — forwarding/certification of appellate/revisional orders and compliance.

	(6) All communications may be made by secure physical or electronic mode and acknowledgment shall be preserved.	
New Rule.	**Rule 121-H: Appellate and revisional record register, digital monitoring and retention.** (1) Every Appellate Court and Revisional Court shall maintain a physical or electronic record register for appeals, revisions and references. (2) The register shall contain: (a) appeal/revision/reference number and CNR number; (b) lower Court case number and CNR number; (c) name/code of parties; (d) offence/section; (e) date of impugned order; (f) date of filing; (g) custody/bail status; (h) date of calling for lower Court record; (i) date of receipt and return of lower Court record; (j) sealed/sensitive record flag; (k) electronic/digital record flag; (l) material object/property flag; (m) interim orders; (n) final order date and result; (o) date of communication/certification to lower Court; (p) warrant/release/compliance status; and (q) consignment/retention/destruction status. (3) Appeals/revisions involving custody, death sentence, life imprisonment, sexual offences, POCSO, SC/ST Act, NDPS, vulnerable witnesses, protected witnesses, mental illness, trial in absentia, or significant electronic evidence shall be flagged for priority monitoring. (4) No appellate/revisional record shall be destroyed while any further appeal, revision, special leave	Existing Rule 121 provides a single-file arrangement for appellate/revisional records. BNSS Chapters XXXI and XXXII govern appeals, references and revisions, including lower Court record movement, final orders and consequential action. Section 530 BNSS — electronic mode and digital proceedings. Patna High Court Circular Order No. 06 of 2025 / *CBI v. Mir Usman @ Ara @ Mir Usman Ali* — expedition and monitoring to prevent procedural delay.

	petition, execution, custody issue, compensation proceeding, property claim or superior Court proceeding is pending. (5) Digital records shall be maintained with audit trail, role-based access and backup in accordance with High Court directions.	

PART III

RECORDS

CHAPTER I

ARRANGEMENTS OF RECORDS OF CRIMINAL PROCEEDINGS

D. EXHIBITS AND E. GENERAL RULES

RULES 122 TO 135-K

This **Part III, Chapter I — D. Exhibits and E. General Rules** now covers :- prosecution, defence, Court and other-party exhibit series; witness-linked exhibit marking; "subject to proof / objection / identification / certificate awaited" marking; electronic and digital exhibit handling; translations, transcripts, audio-video records and certified copies; document exhibit lists; withdrawal/substitution/return of exhibits; supplementary exhibit files; documents not admitted in evidence; material object marking and material object list; retention until appeal/revision finality; return/destruction/disposal entries; real-time filing and indexing; title-page and table of contents; electronic exhibit register; chain of custody; sensitive/protected exhibits; special statute exhibits; inspection/certified copies/redaction; transmission to appellate/revisional Courts; pre-consignment exhibit audit; integration with property register, malkhana and digital systems.

Note 1. These rules apply to the records of all Courts. **Note 2.** For rules as to return of exhibits see rules	**Notes to D — Exhibits. Note 1.** These rules shall apply to the records of all Criminal Courts, including Sessions Courts, Magistrates' Courts, appellate Courts, revisional Courts and any Court recording evidence by commission, electronic mode or under special statute. **Note 2.** Rules	Existing Notes 1 and 2 under **D — Exhibits**, Part III, Chapter I. Bharatiya Sakshya Adhiniyam, 2023 recognises documentary and electronic records;

under Chapter V "Preservation and Destruction of Records".	relating to preservation, return, destruction, disposal, retention, transmission, certified copying and digital storage of exhibits shall be read with the rules on preservation and destruction of records, disposal of property, electronic records, vulnerable witness records and special statutes. **Note 3.** The expression "exhibit" shall include documentary exhibits, electronic/digital exhibits, audio-video exhibits, photographs, transcripts, certified copies, physical material objects, forensic samples and any article or record admitted in evidence. **Note 4.** Sensitive exhibits, including sexual offence material, child-related records, medical/mental-health records, protected witness material, private electronic data and sealed official records, shall be handled with restricted access.	Section 63 specifically deals with admissibility of electronic records. Section 530 BNSS permits criminal trials, inquiries and proceedings, including recording evidence and service/execution of process, through electronic/audio-video electronic means. Patna High Court Vulnerable Witness Guidelines, 2025 prescribe confidentiality and protected handling while recording evidence of vulnerable witnesses.
Rule 122. Prosecution exhibits shall be marked as **Exhibit P-1, P-2**, etc. Defence exhibits shall be marked as **Exhibit D-1, D-2**, etc. Court exhibits shall be marked as **Exhibit C-1, C-2**, etc. in seriatim.	**Rule 122: Marking of documentary and electronic exhibits.** (1) Prosecution exhibits shall be marked in seriatim as **Exhibit P-1, P-2, P-3**, etc. (2) Defence exhibits shall be marked in seriatim as **Exhibit D-1, D-2, D-3**, etc. (3) Court exhibits shall be marked in seriatim as **Exhibit C-1, C-2, C-3**, etc. (4) Exhibits produced by a victim, complainant, informant, intervener or other person permitted by law may be marked in such distinct series as the Court directs, for example **Exhibit V-1** or **Exhibit I-1**, provided the series is clearly explained in the order-sheet and exhibit list. (5) Electronic or digital	Existing Rule 122, Part III, Chapter I, Patna Criminal Court Rules. BSA Section 63 requires proper identification of the electronic record and description of the manner of production in the certificate when electronic records are relied upon. Section 530 BNSS permits recording of evidence and proceedings through

	exhibits shall be marked in the same party-wise series, with the nature of the electronic record indicated in the exhibit list, for example: CCTV footage, mobile extraction, call detail record, e-mail, social media record, audio recording, video recording, photograph, PDF, server log or forensic image. (6) Each electronic exhibit shall, wherever applicable, be linked with its certificate under the Bharatiya Sakshya Adhiniyam, hash value, storage medium, file name, forensic report and chain-of-custody details. (7) Where the Court marks an exhibit subject to objection, subject to proof, or for identification only, such status shall be clearly written on the exhibit, in the deposition, in the order-sheet and in the exhibit list. (8) No exhibit number once assigned shall be reused. If an exhibit is de-exhibited, rejected, renumbered or corrected, the fact shall be recorded with reasons.	electronic mode, making separate identification of digital/audio-video exhibits necessary.
Rule 122-A. To easily locate the witness through whom the document was first introduced in evidence, the exhibit number shall further show the witness number after the exhibit number. If marked without proper	**Rule 122-A: Witness linkage and conditional marking of exhibits.** (1) Every documentary or electronic exhibit shall, as far as practicable, show the number of the witness through whom it was first introduced in evidence. (2) A prosecution document introduced through Prosecution Witness No. 1 shall be marked, for example, **Exhibit P-1/PW1**; a defence document through Defence Witness No. 1 as **Exhibit D-1/DW1**; and a Court document through Court Witness No. 1 as **Exhibit C-1/CW1**. (3) If the exhibit is marked	Existing Rule 122-A, Part III, Chapter I, Patna Criminal Court Rules. BSA Section 63 requires certificate particulars for electronic-record admissibility; therefore, electronic exhibits may need conditional marking where certificate/hash/production details are awaited. Section 530 BNSS

proof, it shall be shown in brackets as "subject to proof". Example: Exhibit P-1/PW1; Exhibit P-1/PW1 (subject to proof).	without complete proof, objection is kept open, certificate is awaited, original is not produced, or admissibility is deferred, the marking shall state the appropriate qualification, such as **"subject to proof"**, **"subject to objection"**, **"for identification"**, or **"certificate awaited"**. (4) In electronic exhibits, the exhibit marking shall also identify the witness who produced or proved the device, printout, certificate, forensic extraction, transcript or digital copy. (5) Where an exhibit is later proved, rejected, de-exhibited or admitted without objection, the order-sheet and exhibit list shall be updated. (6) Where multiple documents are introduced through the same witness, each document shall receive a distinct exhibit number, unless the Court marks a composite exhibit and records reasons. (7) Where an exhibit is bulky, sealed, sensitive, electronic or separately stored, the exhibit marking shall be reflected on the physical/digital cover, seal label, storage media and exhibit list.	supports electronic recording and digital presentation of evidence, requiring clear exhibit-witness linkage.
Rule 123. Deleted by C.S. No. 98, Notification No. X-02-2021-344/R, dated 26.11.2021.	**Rule 123: Exhibit marking for translations, transcripts, photographs, audio-video records and certified copies.** (1) Where a document is in a language not understood by the Court, accused, witness or party concerned, the original document and its translation shall be separately identified, unless the Court directs composite marking. (2) Where audio/video evidence is produced, the original	BSA provisions on documentary evidence, electronic records, certified copies, expert opinion and proof of electronic signatures require clear classification of originals, copies, electronic outputs and transcripts.

	storage media or forensic copy, the transcript, the certificate, the hash report and the translation, if any, shall be separately indexed and cross-referenced. (3) Photographs, screenshots, printouts, scanned copies, certified copies and extracts shall show whether they are original, certified copy, secondary evidence, electronic output or illustrative aid. (4) Where a transcript is used only to assist the Court in understanding audio/video evidence, the Court shall record whether the transcript is admitted as substantive evidence or only as an aid, subject to proof. (5) Where redacted and unredacted versions exist, both shall be separately identified, and the unredacted version shall be kept in sealed/restricted-access form. (6) Where a document is a public document, certified copy, public servant record, bank record, telecom record, medical record, FSL report or official digital record, the exhibit list shall record the mode of proof/admission.	Patna Vulnerable Witness Guidelines support restricted handling of audio-video and sensitive witness material.
Rule 124. A list of documents admitted in evidence for the prosecution and another list for the defence shall be prepared by the clerk of the Court and signed by the	**Rule 124: Exhibit list of documents and electronic records.** (1) Separate lists of documents admitted in evidence on behalf of prosecution, defence, Court and any other permitted participant shall be prepared by the ministerial officer/clerk of the Court and authenticated by the Judge/Magistrate. (2) The documents shall be entered in the order in which they are admitted and marked. (3) The exhibit list shall contain: (a) exhibit number; (b) witness number	Existing Rule 124, Part III, Chapter I, Patna Criminal Court Rules. BSA Section 63 requires an electronic-record certificate identifying the electronic record and describing production/device particulars; this supports inclusion of

Judge/Magistrate. Documents shall be entered in the order in which they are admitted and marked.	through whom introduced; (c) date of marking; (d) description of document/electronic record; (e) number of pages/duration/file size, where applicable; (f) original/copy/certified copy/electronic output status; (g) language and translation status; (h) whether admitted, subject to proof, subject to objection, for identification, or rejected; (i) certificate/hash/forensic report details for electronic records; (j) seal/cover/storage details; (k) whether sealed/restricted; (l) custody location; and (m) remarks regarding withdrawal, substitution, return, destruction or appeal retention. (4) The exhibit list may be maintained physically and electronically. (5) In sensitive cases, the open exhibit list shall use coded references and the full description shall be kept in sealed/restricted record. (6) The list shall be checked before judgment and before transmission of the record to appellate/revisional Court.	certificate/hash/forensic details in the exhibit list. BNSS Section 530 permits electronic proceedings and recording of evidence, supporting electronic exhibit lists.
Rule 125. Whenever a document used in evidence is withdrawn, before or after judgment, a note shall be made in the remarks column, stating whether a copy has or has not been substituted.	**Rule 125: Withdrawal, substitution and return of documentary exhibits.** (1) Whenever a document or electronic record used in evidence is withdrawn, returned or substituted, whether before or after judgment, the fact shall be recorded in the remarks column of the exhibit list and in the order-sheet. (2) The record shall state whether a certified copy, scanned copy, photograph, digital copy, hash-verified copy, transcript or other substitute has been retained. (3) No original exhibit shall be withdrawn or returned if its return may prejudice trial,	Existing Rule 125, Part III, Chapter I, Patna Criminal Court Rules. BNSS Chapter XXXVI governs custody and disposal of property pending trial and at conclusion of trial. BSA provisions on electronic evidence make retention of authenticated electronic copies/hash/certificates important

	appeal, revision, execution, property proceedings, compensation, victim rights, confiscation, or any pending superior Court proceeding. (4) If return is permitted, the recipient shall sign acknowledgment and undertake to produce the document when required, where appropriate. (5) In electronic exhibits, the Court shall ensure that a forensic copy, hash value, certificate, transcript or authenticated copy is retained before return of device or media, unless reasons are recorded. (6) Sensitive exhibits shall not be returned or copied except by specific order and subject to confidentiality safeguards.	where electronic devices or outputs are returned.
Rule 126. Documents admitted as evidence at trial and not included in File A shall not be shown in File A table of contents, but shall be placed in a separate or supplementary file attached to the list referred to in Rule 124. This file includes documents produced for other purpose and documents used to refresh memory of	**Rule 126: Supplementary exhibit file and documents used for collateral purposes.** (1) Documents admitted as evidence and not included in File A shall be placed in a separate **Supplementary Exhibit File**, physically or electronically, attached and cross-referenced to the exhibit list under Rule 124. (2) Such supplementary file may include documents produced for collateral purposes, documents used to refresh memory of witnesses, reports referred to by experts, bulky documents, digital printouts, transcripts, certified copies, maps, charts, photographs, call detail records, bank statements, medical papers and other documents not conveniently placed in File A. (3) The File A index shall mention the existence of the supplementary exhibit file without requiring every supplementary exhibit to be copied into the	Existing Rule 126, Part III, Chapter I, Patna Criminal Court Rules. BSA provisions preserve distinction between admitted evidence, documents used for refreshing memory and electronic/digital records. BNSS appellate/revisional record requirements make separate indexing and transmission of supplementary exhibits necessary.

witnesses, e.g., medical witness reports.	File A table of contents. (4) Every supplementary exhibit shall retain its exhibit number, witness linkage, page count, custody location and access status. (5) Where documents used to refresh memory are not admitted as substantive evidence, the exhibit list shall clearly state their status. (6) Sensitive supplementary exhibits shall be kept in sealed or restricted-access form. (7) During appeal/revision transmission, the supplementary exhibit file shall be transmitted or made available as directed, and the transmission memo shall mention it separately.	
Rule 127. If a witness has given evidence on a conditional pardon, the proceedings under which pardon was tendered and accepted, and any statement of the witness recorded by the Magistrate, shall be included in this file.	**Rule 127: Records relating to approver or witness examined after tender of pardon.** (1) Where any witness has given evidence after tender and acceptance of pardon, the supplementary exhibit/record file shall include all proceedings relating to tender, acceptance and conditions of pardon. (2) The file shall include: (a) application/report for tender of pardon; (b) order tendering pardon; (c) acceptance by the person; (d) statement recorded by Magistrate; (e) deposition as approver/witness; (f) order committing or transmitting the case, if any; (g) any order regarding breach of condition; and (h) any protection order, if the witness faces threat. (3) The record shall indicate whether the witness is being treated as an approver, pardon witness, protected witness or vulnerable witness. (4) If the statement or deposition contains sensitive victim/witness identity or threat material, it shall be	Existing Rule 127, Part III, Chapter I, Patna Criminal Court Rules. BNSS contains provisions corresponding to tender of pardon to accomplice and examination of such person; these papers are material for trial and appellate scrutiny. Witness Protection Scheme, 2018 and Patna Vulnerable Witness Guidelines are relevant where approver/witness faces threat or identity risk.

	kept in sealed/restricted-access form. (5) Where the approver's earlier statement is used for contradiction or corroboration, its exhibit/status shall be clearly noted.	
Rule 128. Documents not admitted in evidence should not be made part of record unless the Court directs otherwise. They should be returned immediately after conclusion of trial to the person producing them or his mukhtar/pleader after receipt in Form (M) 22A. A mukhtar/pleader is bound to take back any document produced by his client which has not been admitted and sign receipt.	**Rule 128: Documents not admitted in evidence.** (1) Documents, electronic records, printouts, devices or materials not admitted in evidence shall not be made part of the judicial record unless the Court directs otherwise for recorded reasons. (2) On conclusion of the trial or proceeding, such documents shall be returned to the person producing them, his advocate or authorised representative after proper receipt in the prescribed form. (3) Where a document is rejected, returned or retained for limited purpose, the order-sheet and list of rejected/returned documents shall record the fact. (4) If the document is relevant to appeal, revision, perjury, forgery, confiscation, property dispute, victim compensation, or any pending proceeding, the Court may direct retention, sealing or certified copying. (5) Unadmitted sensitive documents, including private images, medical papers, child-related records, protected identity material or digital data, shall be returned, sealed, destroyed or otherwise dealt with only by order of Court. (6) If the producer refuses or fails to take back the document, the Court may issue notice and thereafter deal with it according to record-	Existing Rule 128, Part III, Chapter I, Patna Criminal Court Rules. BSA governs admission and proof of documents/electronic records; material not admitted should not be treated as evidence. Patna Vulnerable Witness Guidelines support restricted handling of sensitive and identity-protected material.

	retention/destruction rules. (7) Unadmitted electronic storage media shall not be copied, accessed or retained without order of Court.	
Rule 129. Material objects shall be marked in seriatim as **MO-1, MO-2**, etc. Existing rules, notifications, general letters, orders and directions stand modified to this extent.	**Rule 129: Marking of material objects and physical exhibits.** (1) Material objects shall be marked in seriatim as **MO-1, MO-2, MO-3**, etc. (2) Each material object shall be labelled, sealed or tagged, as practicable, with case number, CNR number, exhibit/MO number, description, date of marking, witness number, and seal/custody details. (3) Where the material object is small, hazardous, fragile, biological, narcotic, explosive, valuable, perishable, bulky or sensitive, the marking may be made on its container, seal label, photograph, inventory or digital image rather than directly on the object. (4) Digital devices such as mobile phones, hard disks, DVRs, pen drives, memory cards, SIM cards and computers may be marked both as material objects and as sources of electronic evidence; the extracted electronic record shall receive separate exhibit marking where admitted. (5) Biological samples, narcotic samples, firearms, currency, jewellery, vehicles and other special-property exhibits shall be marked consistently with special law and forensic requirements. (6) If any material object is marked subject to proof, objection or forensic report, such status shall be recorded in the material object list and order-sheet.	Existing Rule 129, Part III, Chapter I, Patna Criminal Court Rules. BNSS Chapter XXXVI governs custody/disposal of property and material objects; Sections 497–505 cover custody, disposal, seizure, unclaimed property and perishable property. BSA Section 63 is relevant where a physical device is also the source of electronic evidence.

Rule 130. A list of articles admitted in evidence shall be prepared by the clerk of the Court and signed by the Judge/Magistrate. Articles shall be entered in the order in which they are admitted and marked.	**Rule 130: Material object list.** (1) A list of material objects/articles admitted in evidence shall be prepared by the ministerial officer/clerk and authenticated by the Judge/Magistrate. (2) The material object list shall contain: (a) MO number; (b) date of marking; (c) witness through whom produced/proved; (d) description; (e) quantity/weight/measure; (f) seal and packet details; (g) present custody location; (h) malkhana/FSL/treasury/jail/bank/court storage reference; (i) photograph/video/inventory reference; (j) forensic report linkage; (k) whether hazardous/perishable/valuable/sensitive; (l) whether sealed/restricted; (m) return/destruction/disposal status; and (n) remarks. (3) Material objects shall be entered in the order in which they are admitted and marked. (4) Where the object is not physically in Court, the list shall state the reason and location. (5) The list may be maintained electronically and linked with the property register/malkhana register.	Existing Rule 130, Part III, Chapter I, Patna Criminal Court Rules. BNSS property disposal framework, including custody pending trial and disposal at conclusion of trial, requires accurate article tracking. Section 530 BNSS supports electronic record maintenance.
Rule 131. No article admitted in evidence shall be returned or destroyed until appeal period has expired, or until appeal has been disposed of if appeal is	**Rule 131: Retention of material objects until finality of proceedings.** (1) No article or material object admitted in evidence shall be returned, destroyed, auctioned, deleted, overwritten, transferred or otherwise disposed of until the period for appeal or revision has expired. (2) Where appeal, revision, reference, confirmation, retrial, further inquiry, property claim, compensation	Existing Rule 131, Part III, Chapter I, Patna Criminal Court Rules. BNSS Sections 497–505 govern custody and disposal of property, including disposal at conclusion of trial, appeal against disposal order and sale of perishable

preferred against conviction and sentence.	proceeding, confiscation proceeding or superior Court proceeding is pending, such article shall not be disposed of until final disposal or further order. (3) In perishable, hazardous, bulky, depreciating or costly-to-maintain property, the Court may pass lawful orders for interim custody, sale, sampling, certified inventory, photography/videography or destruction under BNSS/special law. (4) In electronic/digital evidence, original device or storage medium shall not be returned or disposed of until forensic image, hash value, certificate, transcript and necessary copy are preserved, unless reasons are recorded. (5) Sensitive or prohibited materials, such as child sexual abuse material, private sexual images, narcotics, explosives, firearms or biological samples, shall be retained/disposed of according to special law and Court directions.	property. BSA Section 63 supports preservation of electronic-record authentication before return/disposal of devices.
Rule 132. Whenever an article admitted in evidence is returned or destroyed, a note shall be made in the remarks column.	**Rule 132: Record of return, destruction, disposal or transfer of material objects.** (1) Whenever any material object/article admitted in evidence is returned, destroyed, auctioned, confiscated, transferred, deposited, released on interim custody, sent to competent authority, or otherwise disposed of, a note shall be made in the remarks column of the material object list and in the order-sheet. (2) The note shall state: (a) date of order; (b) authority ordering disposal; (c) person/authority receiving the article; (d) mode of disposal; (e) receipt/acknowledgment;	Existing Rule 132, Part III, Chapter I, Patna Criminal Court Rules. BNSS Chapter XXXVI property-disposal provisions require clear final disposal and appeal-sensitive tracking. Section 530 BNSS supports electronic entries and acknowledgments.

	(f) whether certified inventory/photograph/video/sample/copy has been retained; and (g) appeal/revision status. (3) Where destruction is ordered, a destruction certificate shall be filed. (4) Where sale/auction is ordered, sale proceeds and deposit details shall be recorded. (5) Where electronic material is deleted/destroyed, hash/copy retention and deletion/destruction certificate shall be recorded, where applicable.	
Rule 133. In every case, papers shall, as far as possible, be attached to the file to which they belong as trial proceeds and arranged in order in which they are brought before the Court. Necessity of sorting papers in Record Room must be avoided.	**Rule 133: Real-time filing, arrangement and digital indexing during trial.** (1) In every case, papers, exhibits, applications, orders, depositions, electronic records and material-object references shall, as far as possible, be attached or linked to the file to which they belong as the proceeding progresses. (2) Papers shall be arranged in chronological and rule-prescribed order and shall not be left for sorting after consignment to record-room. (3) The Court staff shall update File A, File B, exhibit list, material object list, sealed record index and electronic record folder during trial. (4) When any paper is filed electronically, scanned or generated digitally, the physical index shall show its digital location and the digital record shall show its physical file reference. (5) Papers filed in wrong file shall be transferred to the correct file with endorsement, without altering original filing date. (6) Before judgment, and again before consignment/transmission, the file shall be checked for pagination, indexing, exhibit linkage and missing	Existing Rule 133, Part III, Chapter I, Patna Criminal Court Rules. BNSS appeal/revision/execution provisions depend on complete lower Court records; Section 530 supports electronic record linkage.

	papers. (7) Record-room staff shall not be burdened with sorting unsorted trial papers except under specific administrative direction.	
Rule 134. To each file of every record there shall be prefixed a combined title-page and table of contents in Form No. (M) 21, Volume II.	**Rule 134: Combined title-page and table of contents.** (1) To each file of every criminal record there shall be prefixed a combined title-page and table of contents in the prescribed form or electronic equivalent. (2) The title page shall include, as far as applicable: (a) Court name; (b) case number and CNR number; (c) police station/complaint number; (d) parties; (e) offence/sections; (f) date of institution; (g) date of judgment/final order; (h) result; (i) sentence/fine/compensation; (j) custody status; (k) appeal/revision status; (l) number of volumes/files; (m) sealed record flag; (n) electronic record flag; (o) material object/property flag; and (p) retention/destruction category. (3) The table of contents shall be updated as the case proceeds and finalised before consignment or transmission. (4) In sensitive cases, the public title-page shall not disclose protected identity, caste, religion, address or other sensitive particulars unless legally necessary. (5) Digital title-page/table of contents may be generated through CIS/e-Courts or other High Court-approved system.	Existing Rule 134, Part III, Chapter I, Patna Criminal Court Rules. Section 530 BNSS supports electronic records and digital procedural documents. Patna Vulnerable Witness Guidelines require confidentiality and restricted access in sensitive witness cases.
Rule 135. The Table of Contents shall be in the	**Rule 135: Form and completion of table of contents.** (1) The table of contents shall be maintained in the prescribed form or electronic	Existing Rule 135 and table-of-contents form _____. BNSS electronic-

prescribed form. The uploaded page shows columns for serial number of papers, sheets, description, value of court-fee stamps, period for preservation and remarks. The note says columns 1, 3 and 4 are filled as trial proceeds; sheet numbers are filled after file completion; the record-keeper enters preservation period according to preservation/destruction rules.	equivalent. (2) The table shall contain columns for: (a) serial number; (b) page/sheet range; (c) description of paper/exhibit/record; (d) court-fee/stamp value, where applicable; (e) preservation/retention period; (f) sealed/restricted/digital flag; (g) exhibit/material object/electronic record linkage; (h) remarks; and (i) verification/comparison note. (3) Columns relating to serial number, description and stamp value shall be filled as the proceeding progresses. (4) Page/sheet numbers shall be finalised after the file is complete and paginated. (5) The record-keeper shall enter the preservation period in accordance with the rules for preservation and destruction of records. (6) The table shall indicate whether any paper is kept in supplementary exhibit file, sealed record, digital folder, material-object register, malkhana, FSL, treasury, jail, bank or other external custody. (7) Before consignment, transmission or destruction, the table shall be compared with the actual file, exhibit list and material object list, and the officer/record-keeper shall certify correctness. (8) In digital records, metadata and table-of-contents entries shall be synchronised.	mode framework under Section 530 supports electronic equivalent of the table of contents. BSA electronic-record provisions require proper identification and preservation of electronic exhibits and records.
New Rule.	**Rule 135-A: Electronic exhibit register and digital repository.**(1) Every Court shall maintain an electronic exhibit register or digital repository, where facility is available, for electronic/digital exhibits and scanned exhibit references. (2) The register shall record exhibit	BSA Section 63 requires identification of electronic records, production particulars and certification for admissibility. Section 530 BNSS

	number, case number, CNR number, description, file format, file size, hash value, certificate details, storage location, access level, date of admission, witness link and final disposal status. (3) Digital exhibits shall be stored in a tamper-evident manner with access logs and backup. (4) Any copying, inspection, download, migration, conversion or transfer of digital exhibits shall be logged. (5) Where digital exhibits are stored outside the Court system, the repository shall record the custodian, access method, seal/password protocol and Court order regulating access.	expressly permits recording evidence and proceedings through electronic mode.
New Rule.	**Rule 135-B: Chain of custody for exhibits and material objects.**(1) Every transfer of any exhibit, material object, sealed packet, electronic device, storage media, biological sample, narcotic sample, weapon, currency, valuable article or sensitive document shall be recorded in a chain-of-custody register or electronic log. (2) The log shall contain date, time, case number, exhibit/MO number, seal condition, person handing over, person receiving, purpose, destination, expected return date and actual return date. (3) Seal breakage, tampering, missing label, damaged packet, corrupted file, hash mismatch or unauthorised access shall be immediately reported to the Presiding Officer. (4) Chain-of-custody record shall accompany exhibits sent to FSL, treasury, malkhana, appellate Court, revisional Court, commission, expert or	BNSS property-disposal provisions require custody and disposal tracking of property and case articles. BSA Section 63 makes production particulars, device details and certificate important in electronic evidence.

	other authority. (5) In electronic evidence, each forensic copy, clone, extraction, printout or transcript shall be linked with its source device and hash/certificate details.	
New Rule.	**Rule 135-C: Sensitive, prohibited and identity-protected exhibits.** (1) Exhibits involving children, sexual offences, vulnerable witnesses, protected witnesses, medical privacy, mental-health records, private images, financial credentials, national security or witness protection shall be marked and stored as sensitive exhibits. (2) The open exhibit list shall use coded descriptions where disclosure may reveal protected identity or sensitive content. (3) Inspection, copying, certified copy, digital access, transmission or return of sensitive exhibits shall require specific order of Court. (4) No sensitive audio-video record, private image, child-related material, sexual offence material or witness protection record shall be copied, circulated, uploaded or sent by unsecured means. (5) Where redacted and unredacted versions are maintained, the unredacted version shall remain sealed/restricted. (6) Breach of confidentiality shall be reported to the Presiding Officer and District Judge/Sessions Judge.	Patna Vulnerable Witness Guidelines require confidentiality and appropriate protection while recording and handling vulnerable witness material. Section 530 BNSS permits electronic proceedings, making secure access control necessary for sensitive digital exhibits.
New Rule.	**Rule 135-D: Exhibits in special statute cases.** (1) In cases under special statutes, exhibits and material objects shall be marked and preserved consistently with the special law. (2) In NDPS cases, narcotic	BNSS property-disposal framework operates subject to special laws, and Sections 497–505 cover general

	substances, samples, inventory, photographs, FSL report and disposal/destruction orders shall be separately indexed and linked. (3) In POCSO/sexual offence cases, identity-sensitive exhibits, medical records and audio-video material shall be sealed/restricted. (4) In SC/ST Act cases, victim/witness protection, compensation and identity-sensitive records shall be handled with confidentiality. (5) In Arms, Explosives, Excise, Forest/Wildlife, Food Safety, Drugs, cybercrime, counterfeit currency and similar cases, property/exhibit handling shall follow the relevant special law, forensic requirement and Court order. (6) Where special statute requires certification, sampling, inventory, destruction, confiscation or reporting to authority, the exhibit list shall record compliance.	property custody/disposal. BSA provisions apply to expert and electronic evidence across special statutes. Patna Vulnerable Witness Guidelines support special handling in POCSO/sexual offence/vulnerable witness matters.
New Rule.	**Rule 135-E: Exhibits used for contradiction, corroboration and refreshing memory.** (1) A previous statement, document, report, note, diary, memory-refreshing document or electronic record used for contradiction, corroboration or refreshing memory shall be clearly marked or identified according to the purpose for which it is used. (2) If admitted as an exhibit, it shall receive an exhibit number. If used only for contradiction or refreshing memory without being admitted as substantive evidence, its status shall be noted in the deposition and order-sheet. (3) Previous statements used for contradiction shall be	Existing Rule 122-A addresses witness linkage and "subject to proof"; existing Rule 126 mentions documents used to refresh memory. BSA provisions on contradiction, corroboration, refreshing memory and electronic records require clear recording of purpose and admissibility status.

	placed immediately after the deposition of the witness to whom they relate, with page/line reference where practicable. (4) Where the statement is an audio-video/electronic statement, transcript and storage details shall be cross-referenced. (5) The judgment shall not treat a document as substantive evidence if it was only marked for identification or used for limited purpose.	
New Rule.	**Rule 135-F: Disputed, rejected, de-exhibited and re-numbered exhibits.** (1) Where a party objects to marking of a document/article/electronic record, the objection shall be recorded briefly in the deposition or order-sheet. (2) If the Court marks the exhibit subject to objection or proof, the status shall be reflected in the exhibit marking and list. (3) If an exhibit is later rejected or de-exhibited, the original exhibit number shall not be reused; the list shall record "rejected/de-exhibited" with date and order reference. (4) If accidental duplicate numbering or wrong series occurs, correction shall be made by judicial order or authenticated endorsement, preserving the original audit trail. (5) If an exhibit is admitted after earlier identification marking, the list shall show both the identification marking and final exhibit number.	Existing Rule 122-A contemplates marking "subject to proof". BSA admissibility rules require clarity between admitted evidence, identification, objection and proof status.
New Rule.	**Rule 135-G: Inspection and certified copies of exhibits.** (1) Inspection or certified copy of exhibits shall be governed by law, Court	BSA provisions on certified copies/public documents and

	rules and judicial orders. (2) Before allowing inspection/copying, the Court staff shall verify whether the exhibit is sealed, sensitive, bulky, hazardous, electronic, confidential, identity-protected or subject to special-law restriction. (3) Certified copies of electronic exhibits may be supplied in print, certified digital copy, transcript, screenshot, photograph or other Court-approved form, subject to admissibility and confidentiality rules. (4) Redacted copies shall be supplied where protected identity or sensitive content must be concealed. (5) Unredacted copies of sensitive exhibits shall be supplied only under Court order and with safeguards. (6) Every inspection/copying of sealed or sensitive exhibit shall be logged.	electronic records support regulated copying of documentary/electronic exhibits. Patna Vulnerable Witness Guidelines require confidentiality and restricted access to sensitive witness material.
New Rule.	**Rule 135-H: Transmission of exhibits to appellate, revisional or superior Courts.** (1) When a record is transmitted to appellate, revisional or superior Court, the transmission memo shall separately mention documentary exhibits, supplementary exhibit file, material objects, electronic exhibits, sealed exhibits and exhibits retained in malkhana/FSL/treasury/other custody. (2) Bulky, hazardous, perishable, valuable, narcotic, biological, digital or sensitive exhibits shall not be transmitted physically unless specifically required; photographs, certified inventory, forensic copy, sample, transcript or digital clone may be transmitted as directed. (3) Where exhibits are	BNSS appeal/revision framework requires lower Court record and exhibits to be available for scrutiny. BNSS Section 530 supports electronic transmission/proceedings. rules require exhibit lists and retention until appeal period/disposal.

	retained in the lower Court or malkhana, the memo shall state that they can be produced on direction. (4) Sealed/sensitive exhibits shall be transmitted only in sealed cover or restricted electronic mode. (5) Receipt and return of exhibits shall be acknowledged and entered in the movement register.	
New Rule.	**Rule 135-I: Return, destruction and disposal of exhibits after finality.** (1) After appeal/revision period expires, or after final disposal of appeal/revision/reference/superior Court proceedings, the Court shall review exhibits for return, destruction, confiscation, continued retention, transfer or disposal. (2) Before return/destruction/disposal, the Court shall verify whether any property claim, compensation proceeding, confiscation, retrial, further inquiry, connected case or special-law proceeding is pending. (3) The recipient of returned exhibit shall sign receipt and, where necessary, execute bond to produce it. (4) Destruction shall be certified by authorised officer and noted in exhibit/material object list. (5) Digital exhibits shall be deleted/destroyed only according to Court order, with deletion/destruction certificate or audit log where applicable. (6) Prohibited or sensitive exhibits shall be destroyed, retained or transferred only according to law and Court directions.	Existing Rules 125, 131 and 132 address withdrawal, return and destruction of exhibits/articles. BNSS Sections 497–505 govern custody/disposal, including disposal at conclusion of trial and sale/disposal of property.

New Rule.	**Rule 135-J: Comparison, verification and pre-consignment exhibit audit.** (1) Before consignment of record to record-room, the Court staff shall compare the exhibit list, material object list, supplementary exhibit file, sealed exhibit folder and electronic exhibit folder with the actual record. (2) The comparison shall verify exhibit numbering, witness linkage, proof status, page count, seal condition, custody location, digital file accessibility, hash/certificate details and pending return/disposal orders. (3) Discrepancies shall be placed before the Presiding Officer for correction before consignment. (4) The record-keeper shall certify whether all exhibits are present, returned, destroyed, transmitted, retained externally or disposed of by order. (5) No record shall be consigned with unexplained missing exhibit or unverified sensitive/digital exhibit.	Existing Rule 135 requires the record-keeper to compare and complete the table of contents; existing Rules 124 and 130 require signed exhibit/article lists. BSA electronic evidence provisions make verification of hash/certificate/accessibility necessary for digital exhibits.
New Rule.	**Rule 135-K: Integration with record-room, property register and digital systems.** (1) Exhibit lists, material object lists, property registers, malkhana records, digital evidence folders and record-room registers shall be cross-linked by case number and CNR number. (2) Where CIS/e-Courts or any High Court-approved system permits, exhibit metadata shall be entered digitally. (3) The digital entry shall indicate whether the exhibit is physical, documentary, electronic, sealed, sensitive, returned, destroyed, pending appeal, retained	Section 530 BNSS supports digital proceedings and electronic case management. BNSS property-disposal provisions and BSA electronic-record provisions require accurate linkage between record, exhibit, property and digital evidence systems.

	externally or disposed of. (4) Exhibits connected with custody, compensation, confiscation, victim protection, special statute or superior Court proceedings shall be flagged. (5) District Judge/Sessions Judge/Chief Judicial Magistrate may direct periodic inspection of exhibit registers and material object registers.	
PART III **RECORDS** **CHAPTER II** **THE ORDER-SHEET** **RULES 136 TO 141-J** This chapter includes Sessions and Magistrates' order-sheets; physical and electronic order-sheets; daily authentication and serial numbering; charge, plea, evidence, defence and arguments; exhibits, material objects and electronic records; accused examination and incriminating circumstances; bail, custody, warrant and release communications; electronic/audio-video proceedings; legal aid, interpretation and reasonable accommodation; victim participation, compensation and witness protection; property/exhibit disposal directions; delay-control and case management; correction/reconstruction of order-sheet entries; inspection, certified copies and redaction.		
Chapter heading: CHAPTER II — The Order-sheet	**Chapter heading: CHAPTER II — The Order-sheet and Electronic Order-sheet** The expression "order-sheet" shall include the physical order-sheet, electronically generated order-sheet, digitally signed order, CIS/e-Courts order entry, and any authenticated electronic proceeding sheet maintained under High Court directions.	Section 530 BNSS provides that all trials, inquiries and proceedings under BNSS, including issuance/service/execution of summons and warrants, examination of complainant and witnesses, recording

		of evidence, appellate proceedings and other proceedings, may be held in electronic mode. BNSS official text places Section 530 under Chapter XXXIX — Miscellaneous.
Rule 136. An Order-sheet in Form No. (M) 20, Volume II, shall be used in all Sessions trials and shall form part of the record of each trial.	**Rule 136: Order-sheet in Sessions trials.** (1) An order-sheet in the prescribed form or electronic equivalent shall be used in every Sessions trial and shall form part of the judicial record of the trial. (2) The order-sheet shall bear the Court name, Sessions trial number, CNR number, police station case number/complaint number, names of parties, offences/sections, stage of proceeding, custody/bail status of each accused and date of each proceeding. (3) Where an electronic order-sheet is maintained, it shall be authenticated by digital signature, e-signature or other High Court-approved authentication. (4) Where both physical and electronic order-sheets are maintained, the two shall be reconciled periodically, and any discrepancy shall be placed before the Presiding Officer for correction. (5) The order-sheet shall be treated as part of **File A** and shall be preserved accordingly. (6) In cases involving children, sexual offences, vulnerable witnesses, protected witnesses or sealed material, the open order-sheet shall use coded references and	Existing Rule 136 requires Form (M) 20 order-sheet in Sessions trials and makes it part of the trial record. Section 530 BNSS supports electronic order-sheets and electronic proceedings. Proposed Part III Rules 109–112-M already provide for File A, electronic records and restricted-access records. Patna High Court Circular Order No. 05 of 2024 — caste/religion/sensitive identity particulars should not be mentioned unless legally necessary. Patna Vulnerable Witness Guidelines / Witness Protection Scheme, 2018 — protected identity and restricted disclosure.

	shall not disclose protected identity or sensitive particulars unless legally necessary.	
Rule 137. The Order-sheet shall contain a complete record, in chronological order, of the proceedings from commencement to conclusion of trial and every order passed during trial. It may be written by the clerk of the Court, but shall be signed at the end of proceedings each day, and at the conclusion of trial, by the Sessions Judge after satisfying himself of correctness of all entries.	**Rule 137: Chronological record, authentication and daily signing of Sessions order-sheet.** (1) The Sessions order-sheet shall contain a complete, accurate and chronological record of proceedings from commencement to conclusion of the trial and every order passed during the trial. (2) Each day's order-sheet shall mention: (a) date; (b) case number and CNR number; (c) names of accused present, absent, exempted, in custody, produced physically, or produced through audio-video electronic means; (d) appearance of prosecution, defence, victim/complainant counsel and legal aid counsel; (e) witnesses present/examined/deferred/discharged; (f) applications filed and orders passed; (g) exhibits/material objects marked, rejected, or marked subject to proof/objection; (h) next stage and next date; and (i) reasons for adjournment, if any. (3) The order-sheet may be prepared by the ministerial officer/clerk under supervision of the Court, but every order and every day's proceedings shall be checked and authenticated by the Sessions Judge. (4) The Sessions Judge shall sign or digitally authenticate the order-sheet at the end of proceedings on each working day and at conclusion of trial after satisfying himself of correctness of entries. (5) No blank space shall be left between entries. Any	Existing Rule 137 requires a complete chronological record and daily signature by the Sessions Judge. Section 530 BNSS permits electronic recording of proceedings, examination of witnesses and all other proceedings. BNSS Chapter XXV deals with evidence in inquiries and trials and includes rules on recording evidence; the official BNSS index shows evidence provisions in Chapter XXV. Patna High Court Circular Order No. 06 of 2024 — order-writing discipline and clarity. Patna High Court Circular Order No. 06 of 2025 / *CBI v. Mir Usman @ Ara @ Mir Usman Ali* — expedition and avoidance of unnecessary delay.

	correction, interpolation, scoring out or addition shall be authenticated by the Presiding Officer with date. (6) Where proceedings are conducted electronically or partly electronically, the order-sheet shall mention the mode, platform/facility, persons connected, technical interruption if any, and whether audio-video record is preserved. (7) Delay, adjournment, non-production of accused, non-service of summons/warrant, non-production of witness, non-receipt of FSL report, or non-availability of record shall be specifically recorded with responsibility, where ascertainable. (8) Where the order affects custody, bail, release, warrant, victim protection, witness protection, compensation, property or legal aid, the order-sheet shall record communication/compliance direction.	
Rule 138. The Sessions order-sheet shall contain, among other things: (1) abstract of charge/charges and note of amendment under old Section 216 Cr.P.C.; (2) note that charge was read and explained to accused and note of plea; (5)	**Rule 138: Matters to be entered in Sessions order-sheet.** The Sessions order-sheet shall contain the following entries, as far as applicable: **A. Charge and plea** (1) Abstract of charge/charges, amended charge or additional charge, and statutory provision under which charge is framed or amended. (2) Note that charge was read and explained separately to each accused in a language understood by him, and the plea of each accused. (3) Where the accused is represented through legal aid or requires interpreter/translator/special educator/communication support, the same shall be noted. **B. Opening**	Existing Rule 138 lists mandatory contents of Sessions order-sheet. BNSS trial provisions replace old Cr.P.C. provisions relating to charge, alteration of charge, accused examination, defence evidence, arguments, judgment and sentence. The official BNSS text is the primary statutory source. BNSS Section 530

note stating by whom the case is opened and substance of preliminary objections with orders; (6) names of prosecution witnesses as examined; (7) particulars of documentary evidence/articles admitted for prosecution, and note of evidence tendered and rejected, including examination/confession of accused; (8) note of accused examination and whether accused intends to call evidence; (9) note that prosecutor sums up; (10) note if accused or pleader addresses Court; (11) defence witnesses and documentary/articles	**of case and preliminary objections** (4) Note stating by whom the case is opened. (5) Substance of preliminary objections, including objection to jurisdiction, sanction, limitation, charge, maintainability, admissibility, electronic record certificate, witness protection, or other legal objection, with the order passed. **C. Prosecution evidence** (6) Names and witness numbers of prosecution witnesses as they are examined. (7) Whether evidence is recorded physically or through audio-video electronic means. (8) Particulars of documents, electronic records and material objects admitted in evidence for prosecution, including exhibit number, witness linkage and whether admitted, rejected, marked subject to proof/objection or for identification. (9) Any confession, statement, examination, electronic statement or prior statement of the accused admitted or relied upon, with exhibit/status. (10) Objections raised during evidence and orders passed thereon. **D. Accused examination and defence** (11) Note that accused has been examined by the Court and that incriminating circumstances were put separately to each accused. (12) Whether accused stated that he intends to call defence evidence or file written statement/written defence. (13) Names and witness numbers of defence witnesses examined. (14) Particulars of documents, electronic records and material objects admitted for defence, with rejected/conditional markings and orders. **E.**	allows examination of witnesses, recording evidence and other proceedings by electronic/audio-video mode. Patna High Court Circular Order No. 02 of 2025 — legal aid intimation/coversheet for higher remedies. Patna Vulnerable Witness Guidelines — restricted handling of identity-protected and vulnerable witness records.

evidence, with rejected evidence order; (12) prosecutor reply; (14) final order/sentence and, in death sentence, note that accused has been informed of period within which appeal lies.	**Arguments** (15) Note that prosecutor/public prosecutor/victim counsel, where permitted, has addressed arguments or filed written submissions. (16) Note that accused or his advocate/legal aid counsel has addressed arguments or filed written submissions. (17) Note of prosecutor's reply, if any. **F. Final order and post-judgment directions** (18) Final order, conviction/acquittal/discharge/abatement or other result. (19) Sentence order, fine, compensation, victim compensation recommendation, set-off, default sentence, custody calculation and warrant direction. (20) Disposal/preservation order regarding documents, electronic records, material objects and property. (21) Copy supply and legal aid intimation for higher remedies. (22) In death sentence cases, note that the accused has been informed of the right/period for appeal and legal aid, and that record must be submitted for confirmation as required by law. (23) Any direction regarding victim/witness protection, non-disclosure of identity, sealed record, or compensation compliance. (24) Communication to jail, Legal Services Authority, prosecution, victim/informant, or other authority, where required.	
Rule 139. A form of Order-sheet in Form No. (M) 19, Volume II, is to be used by	**Rule 139: Order-sheet in Magistrates' Courts.** (1) An order-sheet in the prescribed form or electronic equivalent shall be used by every Magistrate subordinate to the High Court and shall form part of the	Existing Rule 139 requires Form (M) 19 order-sheet for Magistrates and makes it part of the record of each trial.

all Magistrates subordinate to the High Court and shall form part of the record of each trial.	record of each trial, inquiry or proceeding. (2) The Magistrate's order-sheet shall bear Court name, case number, CNR number, complaint/FIR/police station case number, name of parties, offence/sections, case category, custody/bail status and stage of proceeding. (3) Separate order-sheets shall be maintained, as required, for summons cases, warrant cases, summary trials, complaint cases, police report cases, preventive/security proceedings, miscellaneous inquiries, maintenance proceedings, property proceedings and special statute proceedings. (4) Where electronic order-sheet is maintained, it shall be authenticated by digital signature, e-signature or other High Court-approved authentication. (5) The order-sheet shall be kept in **File A** and shall be preserved as part of the judicial record. (6) The open order-sheet shall not disclose protected identity or sensitive particulars unless legally necessary.	Section 530 BNSS permits proceedings and recording of evidence through electronic mode. Proposed Part III Rules 113–120-J provide the corresponding record structure for Magistrates' records.
Rule 140. The Magistrate's order-sheet shall include every interlocutory order, from the date of complaint or the date on which FIR received in the Magistrate's office is laid before him, and	**Rule 140: Contents of Magistrate's order-sheet.** (1) The Magistrate's order-sheet shall include every interlocutory order and every material proceeding from the date on which the complaint, police report, FIR, information, application or proceeding is first laid before the Magistrate until final disposal. (2) The order-sheet shall contain, as far as applicable: (a) date of filing/receipt of complaint, FIR, police report, final report, application or information; (b) examination of	Existing Rule 140 requires every interlocutory order from date of complaint/FIR being laid before Magistrate and substance of final order. BNSS provisions governing complaint cases, police report cases, warrants/summons, bail, bonds,

shall also contain the substance of the final order.	complainant/witnesses, if any; (c) order for inquiry/investigation/postponement of process; (d) dismissal of complaint or issue of process; (e) service/execution of summons, warrant, proclamation or attachment; (f) appearance, custody, bail, bond, remand, production and exemption of accused; (g) supply of copies; (h) substance of accusation or framing of charge; (i) plea of accused; (j) prosecution evidence and witness numbers; (k) exhibits/material objects/electronic records marked, rejected or marked subject to proof/objection; (l) examination of accused and written statement, if any; (m) defence evidence; (n) written submissions/memorandum of arguments; (o) judgment/final order and substance thereof; (p) sentence, fine, default sentence, compensation, set-off and warrant direction; (q) property/exhibit disposal order; (r) copy supply and legal aid intimation; (s) appeal/revision/retrial/further inquiry compliance, if any; and (t) communication to jail, police, Legal Services Authority, victim/informant or other authority where required. (3) In summary trials, the order-sheet may be brief, but shall sufficiently show the progress of the case, plea, evidence if any, finding, sentence/fine/compensation and property order. (4) In complaint cases dismissed at preliminary stage, the order-sheet shall clearly show examination, inquiry if any, reasons for dismissal and date	evidence, accused examination, judgment, execution and property disposal require comprehensive order-sheet entries. Official BNSS text is the primary statutory basis. Section 530 BNSS supports electronic proceedings and electronic/audio-video recording entries in order-sheets.

	of order. (5) In preventive/security proceedings, the order-sheet shall record notice, bond/security direction, evidence, order, detention for failure to furnish security, legal aid intimation and release/superior Court communication, if any. (6) Where proceedings are conducted electronically, the order-sheet shall record the mode, persons connected, technical interruption, and whether audio-video record is preserved.	
Rule 141. Each order entered in the order-sheet shall bear serial number and be signed by the Magistrate.	**Rule 141: Serial number, signature and authentication of Magistrate's order-sheet.** (1) Each order entered in the Magistrate's order-sheet shall bear a consecutive serial number. (2) Each day's order and every separate judicial order shall be signed or digitally authenticated by the Magistrate. (3) No order shall be left unsigned. If an order-sheet is prepared by Court staff, it shall be checked and authenticated by the Magistrate before the close of the day or as soon as practicable. (4) Corrections, insertions, deletions or overwriting shall be authenticated by the Magistrate with date. (5) Electronic order-sheets shall maintain audit trail of creation, modification, signature, upload and access. (6) Where any order affects custody, bail, release, remand, warrant, property, compensation, victim/witness protection or limitation, it shall be separately identifiable and communicated promptly to the concerned authority. (7) Missing serial numbers,	Existing Rule 141 requires every order in the order-sheet to bear serial number and be signed by the Magistrate. Section 530 BNSS supports electronic order-sheets and electronic authentication systems. BNSS Section 529 provides for High Court's continuous superintendence over Courts, supporting standardised order-sheet discipline.

	unsigned entries, blank spaces, unexplained corrections or inconsistent physical/electronic entries shall be reported to the Presiding Officer/Chief Judicial Magistrate for correction and accountability.	
New Rule.	**Rule 141-A: Mandatory order-sheet entries affecting custody, liberty and warrants.** (1) Every order affecting arrest, remand, custody, bail, bond, surety, exemption, production, release, suspension of sentence, cancellation of bail, proclamation, attachment or warrant shall be entered clearly in the order-sheet. (2) The order-sheet shall mention: (a) whether accused is present physically or through audio-video means; (b) custody status and jail/police custody location; (c) period of custody/remand authorised; (d) next production date; (e) bail conditions and surety requirements; (f) warrant/summons issued and mode of service; (g) release order issued and mode of communication; and (h) acknowledgment/compliance status. (3) Where an accused is not produced from custody, the reason and responsibility shall be recorded. (4) Where release is ordered, the order-sheet shall record the time and mode of transmission to jail or custody authority. (5) Where the accused is unable to furnish bail/surety due to poverty or vulnerability, legal aid intimation shall be recorded.	BNSS provisions relating to arrest, remand, bail, bonds, warrants, release and electronic service/execution require precise order-sheet recording. Section 530 BNSS includes issuance, service and execution of summons and warrants in electronic mode. Patna High Court Circular Order No. 02 of 2025 — legal aid information for higher remedies and custody-related adverse orders.
New Rule.	**Rule 141-B: Order-sheet entries for electronic proceedings and audio-video mode.** (1) Where any proceeding is held through	Section 530 BNSS expressly permits trials, inquiries and proceedings,

	electronic communication or audio-video electronic means, the order-sheet shall record the same. (2) The entry shall include: (a) mode/platform/facility used; (b) place from which accused/witness/advocate participated; (c) identity verification; (d) persons present at Court location and remote location; (e) whether audio-video recording was made; (f) technical interruption, if any; (g) whether documents/exhibits were shown electronically; and (h) whether any objection was raised to the mode. (3) If electronic service of summons/warrant/process is used, the order-sheet shall record the mode, address/number/e-mail used, proof of service and acknowledgment, where available. (4) Where technical failure affects fairness or continuity of proceedings, the Court shall record reasons for adjournment or continuation.	including service/execution of summons and warrants, examination of complainant/witnesses, recording of evidence and appellate proceedings, through electronic/audio-video means. Recent High Court reporting on electronic summons under BNSS shows Courts applying Sections 70(3) and 530 BNSS to validate electronic service; this supports keeping order-sheet entries of electronic service and proof.
New Rule.	**Rule 141-C: Order-sheet entries for evidence, exhibits and material objects.** (1) On every date of evidence, the order-sheet shall record the name and number of witness examined, deferred, discharged or absent. (2) The order-sheet shall record whether examination-in-chief, cross-examination, re-examination, further examination or recall was conducted. (3) Every document, electronic record or material object admitted, rejected, marked for identification, marked subject to proof, or marked subject to objection shall be entered with exhibit/MO	Existing Rule 138 requires entries for prosecution/defence witnesses and particulars of documents/articles admitted or rejected. BNSS Chapter XXV governs recording evidence in inquiries and trials; Section 530 permits recording of evidence by electronic mode. (Uttar Pradesh Police)

	number. (4) Objections regarding admissibility, mode of proof, electronic certificate, translation, transcript, sealing, witness protection, privilege or production of original shall be briefly noted with the order passed. (5) If evidence is recorded by commission, audio-video mode, vulnerable witness facility or in absence of accused/proclaimed offender, the order-sheet shall record the statutory basis and safeguards followed. (6) Where witness is not examined due to non-service, non-production, illness, threat, vulnerability, failure of prosecution, absence of defence counsel or other cause, the cause shall be recorded.	BSA provisions relating to documentary and electronic evidence require clear order-sheet recording of proof/admissibility status.
New Rule.	**Rule 141-D: Order-sheet entries in cases involving vulnerable witnesses, children and protected witnesses.** (1) Where the proceeding involves a child victim, sexual offence victim, vulnerable witness, protected witness, person with disability, witness under threat, or witness protection order, the order-sheet shall record only such details as are necessary for the proceeding. (2) Protected identity, address, school, workplace, shelter home, safe location, contact details, medical privacy or witness protection details shall not be disclosed in the open order-sheet. (3) The order-sheet may use witness code, sealed identity sheet, initials or restricted reference. (4) Where special measures are used, such as screen, separate waiting area, support person, interpreter, special educator, live link, video-conferencing, in-	Patna Vulnerable Witness Guidelines prescribe special measures and confidentiality in recording evidence of vulnerable witnesses. Witness Protection Scheme, 2018 protects witness identity and safety. Section 398 BNSS provides for witness protection scheme, and Section 530 BNSS supports audio-video/electronic modes.

	camera proceedings or modified questioning, the fact shall be recorded without revealing sensitive particulars. (5) Any breach or attempted breach of confidentiality shall be recorded and placed before the Presiding Officer for appropriate action.	
New Rule.	**Rule 141-E: Order-sheet entries for legal aid, interpretation and reasonable accommodation.** (1) The order-sheet shall record assignment, presence or absence of legal aid counsel wherever legal aid is provided or required. (2) Where the accused, victim or witness is illiterate, disabled, mentally ill, a child, unable to understand the language of Court, or otherwise requires assistance, the order-sheet shall record interpreter, translator, special educator, sign-language interpreter, support person, communication assistant or other reasonable accommodation provided. (3) Where free legal aid information/coversheet is supplied for higher remedy, the order-sheet shall record the date and mode of supply. (4) If proceedings are adjourned due to absence of legal aid counsel or failure to provide interpretation/accommodation, the reason and remedial direction shall be recorded.	Article 39-A, Constitution of India and Legal Services Authorities Act, 1987 support legal aid recording. Patna High Court Circular Order No. 02 of 2025 requires legal aid information/coversheet for higher remedies. Rights of Persons with Disabilities Act, 2016 and Patna Vulnerable Witness Guidelines support interpretation, special educator and communication assistance.
New Rule.	**Rule 141-F: Order-sheet entries for compensation, victim participation and witness protection.** (1) The order-sheet shall record any order relating to compensation, victim compensation, interim	BNSS includes provisions on compensation, victim compensation and witness protection in the judgment

	compensation, restitution, payment of fine to victim, or communication to DLSA/SLSA. (2) Where victim, informant, complainant or their counsel is entitled to notice or hearing, the order-sheet shall record notice, service, appearance and submissions. (3) Where witness protection, no-contact condition, safe passage, identity protection or victim/witness safety direction is issued, modified or continued, the order-sheet shall record the operative direction in a confidentiality-protecting manner. (4) Compliance or non-compliance of compensation/protection order shall be noted.	framework, and Section 398 concerns witness protection. SC/ST Act, POCSO Act and victim compensation schemes require victim-sensitive recording. Patna Vulnerable Witness Guidelines support protected recording of witness protection directions.
New Rule.	**Rule 141-G: Order-sheet entries for property, exhibits and disposal directions.** (1) Every order relating to seizure, custody, interim release, production, inspection, sampling, FSL transmission, return, destruction, confiscation, auction, restoration or disposal of property/exhibits/material objects shall be entered in the order-sheet. (2) The entry shall mention exhibit/MO/property number, description, person/authority in custody, seal condition, order passed and next compliance date. (3) In electronic/digital evidence, the order-sheet shall mention forensic imaging, hash generation, certificate, copying, inspection, return of device, deletion or preservation order. (4) Where property is perishable, hazardous, bulky, depreciating or subject to special law, urgency and statutory basis shall be recorded. (5)	BNSS Chapter XXXVI governs custody and disposal of property. Official BNSS text contains Chapter XXXVI on disposal of property and connected provisions. Proposed Part III Rules 122–135-K require exhibit/material object lists, chain of custody and disposal entries.

	Compliance report, acknowledgment or destruction certificate shall be noted when received.	
New Rule.	**Rule 141-H: Order-sheet entries for delay control and case management.** (1) Where a proceeding is adjourned, the order-sheet shall briefly state the reason and the party/agency responsible, if ascertainable. (2) Repeated defaults in service, witness production, FSL report, jail production, police report, process execution, legal aid assignment or record transmission shall be specifically noted and remedial directions issued. (3) In old cases, custody cases, POCSO/sexual offence cases, SC/ST Act cases, NDPS cases, cases involving vulnerable witnesses, death sentence matters and time-bound proceedings, the order-sheet shall reflect case-management directions. (4) Where statutory timeline applies, the order-sheet shall note priority listing and reasons if timeline cannot be maintained. (5) Directions for day-to-day trial, no unnecessary adjournment, block dates, witness scheduling and electronic summons may be recorded.	Patna High Court Circular Order No. 06 of 2025 / *CBI v. Mir Usman @ Ara @ Mir Usman Ali* stresses expedition and avoidance of unnecessary delay. BNSS Section 530 facilitates electronic service, evidence and proceedings to reduce delay.
New Rule.	**Rule 141-I: Correction, reconstruction and missing order-sheet entries.** (1) If any order-sheet entry is missing, unsigned, illegible, damaged, duplicated, inconsistent or digitally corrupted, the fact shall be placed before the Presiding Officer immediately. (2) Correction or reconstruction shall be made only by judicial order or authenticated	Existing Rules 137 and 141 require correct, signed order-sheet entries. BNSS appeal/revision/execution provisions require reliable original

	administrative direction, based on Court diary, CIS entry, certified copy, uploaded order, counsel copies, record-room copy, jail communication or other reliable source. (3) The correction shall not erase the original entry; it shall preserve audit trail. (4) Parties may be heard where the correction affects rights, limitation, custody, bail, appeal/revision or merits. (5) A correction/reconstruction memorandum shall be placed in File A.	Court records; Section 530 supports electronic audit trail.
New Rule.	**Rule 141-J: Inspection, certified copy and redaction of order-sheets.** (1) Inspection and certified copies of order-sheets shall be governed by law, rules and Court orders. (2) Before issuing copy or allowing inspection, the copying/record section shall verify whether the order-sheet contains protected identity, child victim details, sexual offence material, witness protection information, medical/mental-health details, sealed material, private electronic data or other sensitive particulars. (3) Redacted copies shall be supplied where law requires protection of identity or confidentiality. (4) Unredacted copies shall be supplied only where legally necessary and subject to Court order or restricted conditions. (5) Digitally certified copies may be issued through High Court-approved electronic systems. (6) Any redaction shall be noted without altering the judicial record.	BNSS and BSA recognise certified copies and electronic records; Section 530 BNSS supports electronic certified-copy systems. Patna Vulnerable Witness Guidelines and Witness Protection Scheme, 2018 support redaction and restricted access in sensitive proceedings.
PART III		

RECORDS CHAPTER III — INSPECTION OF RECORD RULES 142 TO 143-F		
Rule 142. No record not deposited in the Record Room shall be inspected without permission of the Court concerned.	**Rule 142: Inspection of records not deposited in Record Room.** (1) No criminal record, paper, exhibit, electronic record, audio-video record, sealed record or linked digital file which has not yet been deposited in the Record Room shall be inspected without permission of the Court concerned. (2) The application for inspection shall state the case number, CNR number, name of applicant, status of applicant, purpose of inspection, documents sought to be inspected, and whether inspection of any sealed/sensitive/electronic record is requested. (3) The Court may allow, refuse, restrict, defer or regulate inspection by a reasoned order, having regard to the stage of proceeding, rights of parties, fair trial, privacy, confidentiality, safety of victims/witnesses, and preservation of record. (4) Pending trial records shall ordinarily be inspected only in the presence of the Court, authorised Court officer or clerk deputed for the purpose. (5) No person inspecting a record shall mark, alter, remove, photograph, scan, copy, record, transmit or handle any paper/exhibit except as permitted by the Court. (6) Inspection of electronic or digital records shall be allowed only through Court-approved device, terminal, secure repository or supervised viewing	Existing Rule 142, Part III, Chapter III, Patna Criminal Court Rules. Section 530 BNSS permits criminal trials, inquiries and proceedings, including recording of evidence and appellate proceedings, through electronic mode; therefore inspection rules must cover electronic records also. BSA recognises electronic records and contains specific provisions for admissibility of electronic records, including Section 63, requiring proper record integrity and identification. Patna High Court Draft Amended Guidelines for Recording Evidence of Vulnerable Witnesses, 2025 include confidentiality and protected handling of vulnerable witness material.

	arrangement. (7) Inspection of sealed, restricted, vulnerable witness, protected witness, child victim, sexual offence, medical, mental-health, private electronic or witness protection record shall be allowed only by specific order of the Court and subject to redaction/confidentiality safeguards. (8) Every inspection shall be entered in an inspection register or electronic audit log.	
Rule 143. The Court concerned may, either in his presence or in the presence of a clerk deputed by him for the purpose, allow inspection of any such record to public officers, pleaders and mukhtars in the case, subject to the general conditions laid down for inspection of records in the Record Room.	**Rule 143: Persons entitled to inspect pending or non-consigned records and conditions of inspection.** (1) The Court concerned may permit inspection of records not deposited in the Record Room to the following persons, subject to law and Court order: (a) public officers requiring inspection for official duty; (b) prosecutors; (c) advocates appearing in the case; (d) authorised clerks of advocates, where permitted; (e) parties, accused, victim, complainant or informant, where inspection is legally permissible; (f) Legal Services Authority counsel; and (g) any other person authorised by the Court. (2) Inspection shall take place in the presence of the Presiding Officer, authorised officer, record-keeper, bench clerk or clerk deputed for the purpose. (3) Inspection shall remain subject to the general inspection rules applicable to Record Room records and to any special restriction imposed by the Court. (4) Public officers seeking inspection shall disclose the official purpose and shall not remove, reproduce or	Existing Rule 143, Part III, Chapter III, Patna Criminal Court Rules. Section 530 BNSS supports electronic proceedings and, by necessary extension for record management, requires controlled electronic inspection systems. Patna Vulnerable Witness Guidelines, 2025 identify vulnerable witnesses including children, POCSO victims and victims of specified BNS sexual offences, and support confidentiality and special measures. Patna High Court rules page also shows recent e-Certified Copy Rules, 2026, indicating movement

	disclose record contents beyond the purpose authorised. (5) Advocates and parties may take notes unless restricted by Court order, but shall not photograph, scan, digitally copy or transmit any record without permission. (6) Where inspection relates to records containing protected identity, vulnerable witness material, POCSO/sexual offence records, witness protection orders, sealed medical records, mental-health records, private electronic material or national-security/confidential official material, the Court shall regulate access by redaction, masked viewing, sealed-cover inspection, undertaking or restricted-access digital viewing. (7) The inspection register shall record the name, status, time, record inspected, supervising officer and any restriction imposed. (8) Breach of inspection conditions shall be reported to the Presiding Officer and may result in refusal of further inspection, contempt/action under law or administrative reporting.	toward digital access to court records and copies.
New Rule.	**Rule 143-A: Inspection of electronic, scanned and digitised records.** (1) Where a record is maintained electronically, scanned, digitised, or stored in CIS/e-Courts/DMS/evidence repository, inspection may be allowed through a Court-approved digital terminal, secure viewer or authenticated digital access. (2) The Court shall ensure that the digital record shown for inspection corresponds to the judicial record and has not been altered. (3) The inspection log shall record user	Section 530 BNSS recognises electronic mode for criminal proceedings, including evidence and appellate proceedings. The SOP on Digital Preservation states that digitisation centres should be established near District Court Record

	identity, case number, date/time, documents accessed, duration of access, and whether any copy/download was permitted. (4) Downloading, screen-recording, photographing or external storage transfer shall be prohibited unless specifically permitted. (5) Where any file is corrupt, incomplete, mismatched, not linked with the physical record, or not properly authenticated, inspection shall be deferred or limited until the defect is corrected. (6) Digitised inspection shall not replace sealed-cover restrictions, protected identity safeguards or special-law confidentiality.	Rooms and refers to issuance of certified documents, archival, retrieval and transmission to central repositories for long-term digital preservation. CIS 3.0 material refers to digitisation modules including digital record room and digital process features. (eCourts)
New Rule.	**Rule 143-B: Inspection of sealed, sensitive and protected records.** (1) Sealed or sensitive records shall not be opened for inspection except under specific order of the Court. (2) Such records include: (a) child victim identity records; (b) sexual offence victim records; (c) vulnerable witness identity and deposition records; (d) protected witness records and witness protection orders; (e) medical, mental-health or disability records; (f) private electronic data, images or audio-video material; (g) national-security/confidential official records; and (h) any record directed by Court to be sealed. (3) The Court may allow only redacted inspection, supervised inspection, counsel-only inspection, masked viewing, or inspection subject to undertaking. (4) The inspection entry shall not disclose protected identity or	Patna Vulnerable Witness Guidelines, 2025 require confidentiality and protected handling of vulnerable witness evidence and related records. BNSS Section 530 and BSA electronic-record provisions make it necessary to protect sensitive electronic/audio-video material from unauthorised access.

	sensitive details in the public register. (5) Any sealed record opened for inspection shall be resealed immediately after inspection with date, time and signature/authentication of the supervising officer.	
New Rule.	**Rule 143-C: Inspection by accused, prisoners, victims and Legal Services Authority counsel.** (1) Where an accused, prisoner, victim, complainant, informant or person entitled under law seeks inspection for pursuing legal remedy, the Court shall consider the request with due regard to fair trial, appeal/revision rights, privacy and safety. (2) Where the applicant is in custody or is unrepresented, inspection/copy assistance may be coordinated through jail authority, Legal Services Authority or legal aid counsel. (3) Where inspection by victim/informant is permitted, protected accused privacy, witness safety and sealed material safeguards shall be maintained. (4) Where inspection by accused/defence is permitted in sensitive cases, the Court may provide redacted copies or controlled inspection while preserving the right of defence. (5) Inspection for higher remedies shall be dealt with expeditiously, especially in custody, conviction, sentence, bail, appeal, revision and limitation matters.	Article 39-A and the Legal Services Authorities Act, 1987 support legal aid access for unrepresented/custody litigants. BNSS provisions on appeals, revisions, copies and electronic proceedings require timely access to records for legal remedies. Patna Vulnerable Witness Guidelines require balancing fair-trial needs with safety and confidentiality of vulnerable witnesses. (
New Rule.	**Rule 143-D: Prohibited acts during inspection.** (1) During inspection, no person shall remove, detach, substitute, mark, underline, fold, tear, photograph, scan, record, upload, transmit, copy, alter, delete	Existing Rules 142–143 allow inspection only with permission and under supervision. BSA electronic-

	or tamper with any record, exhibit, seal, electronic file or material object, except as authorised by the Court. (2) No person shall disclose, publish or circulate protected identity, sealed contents, private electronic material, medical record, child victim record, witness protection information or any restricted information obtained during inspection. (3) Violation may be reported to the Court for cancellation of inspection permission, denial of further inspection, contempt action, prosecution or professional/departmental action, as applicable. (4) The supervising officer shall immediately report any attempted tampering, unauthorised copying or confidentiality breach.	record provisions and BNSS electronic-mode provisions require integrity of records and prevention of tampering/unauthorised copying.
New Rule.	**Rule 143-E: Inspection register and electronic audit trail.** (1) Every Court shall maintain a physical or electronic inspection register for records inspected before deposit in Record Room. (2) The register shall include: (a) serial number; (b) date and time of inspection; (c) case number and CNR number; (d) applicant name and status; (e) authority/order permitting inspection; (f) record inspected; (g) supervising officer; (h) restrictions imposed; (i) copy/download permission, if any; (j) time of completion; and (k) remarks regarding irregularity, if any. (3) For digital inspection, the system log shall form part of the inspection record. (4) Inspection registers relating to	Existing Rule 143 contemplates supervised inspection subject to Record Room inspection conditions. The digital preservation SOP refers to digital repository, archival, retrieval and certified document workflows, supporting electronic logs and record-room audit.

	sensitive/protected records shall use coded references and restricted access.	
New Rule.	**Rule 143-F: Urgent inspection and copy requests in time-sensitive matters.**(1) Inspection or copy requests in matters involving limitation, appeal, revision, bail, custody, death sentence, release, remand, suspension of sentence, victim protection or imminent hearing shall be treated as urgent. (2) The Court may permit immediate supervised inspection of relevant portions of record or direct supply of certified/digital copy, subject to confidentiality safeguards. (3) Where record is in transit, consignment, copying section or digitisation unit, the responsible branch shall coordinate to avoid prejudice to legal remedy. (4) Reasons for refusal or delay in urgent inspection shall be recorded.	BNSS appeal/revision and custody provisions require timely record access for legal remedies. Patna High Court rules page records recent e-Certified Copy Rules, 2026, reflecting institutional movement toward timely digital copy access.

PART III

RECORDS

CHAPTER IV — THE TRANSMISSION OF RECORDS TO THE DISTRICT RECORD-ROOM

RULES 144 TO 146-I

Chapter III and IV aligns with inspection of records before consignment to Record Room; inspection by public officers, advocates, parties, accused, victims and legal aid counsel; digital/scanned/electronic record inspection; sealed and restricted-access record inspection; inspection register and audit trail; urgent inspection for appeal, revision, bail and custody matters; Sessions and Magistrate Record Room custody; committal records as part of Sessions records; transmission timelines for headquarters and subdivision Courts; despatch schedule for District Record Room; pre-transmission certification; digitisation, metadata and repository linkage; sealed/sensitive record transmission; pending

appeal/revision/execution flags; Record Room deficiency memo; movement register and audit trail after consignment; priority categories and reconstruction of lost/damaged records.		
Rule 144. With the exception of proceedings before the Court of Sessions, the records of which will be kept in the Record Room of the Sessions Judge, the records of all criminal proceedings will be kept in the Record Room of the Magistrate of the district. **Note:** Records received from the committing Court shall, for the purpose of depositing in the record room, be treated as part of the Sessions record.	**Rule 144: Custody of criminal records in Sessions and District Magistrate Record Rooms.** (1) Records of proceedings before the Court of Session shall be kept in the Record Room of the Sessions Judge/District and Sessions Judge, subject to High Court directions on centralised or digital record management. (2) Records of criminal proceedings before Magistrates and other Criminal Courts subordinate to the Chief Judicial Magistrate shall be kept in the District Criminal Record Room / Record Room of the Magistrate of the district, unless otherwise directed by the High Court. (3) Records received from the committing Court shall, for the purpose of deposit in the Record Room, be treated as part of the Sessions record and shall be consigned along with or linked to the Sessions trial record. (4) Where the committing Court record is maintained separately or digitally, the Sessions record shall contain a clear cross-reference to the committing Court record, including case number, CNR number, committal date, volume details and digital location. (5) Electronic records, scanned records, audio-video records, electronic exhibits and digital metadata shall be maintained in the digital record-room / DMS / CIS / e-Courts system approved by the High Court, with linkage to the physical record. (6) Sealed, sensitive, vulnerable witness, protected witness, child victim,	Section 530 BNSS supports electronic criminal proceedings and therefore digital record-room linkage. The SOP on Digital Preservation states that a dedicated digitisation centre shall be established at each District Court complex close to the Record Room, and refers to archival, retrieval, certified documents and central repository workflows. Patna Vulnerable Witness Guidelines support restricted access and confidentiality for sensitive records.

	sexual offence, medical/mental-health and private electronic records shall be stored with restricted access, whether in Sessions or Magistrate Record Room. (7) The Record Room shall maintain separate registers or digital fields for Sessions records, Magistrates' records, committal-linked records, electronic records, sealed records, exhibits/material objects and records in transit.	
Rule 145. The records of all decided cases shall be forwarded to the District Record Room by Magistrates at headquarters in the course of the next month, and by Magistrates at Subdivisions in the course of the fourth month succeeding that in which they were decided.	**Rule 145: Time for transmission of decided records to Record Room.** (1) Records of all decided Magistrate cases at headquarters shall be forwarded to the District Record Room in the course of the next month following the month of disposal, unless otherwise directed by the High Court. (2) Records of all decided cases from Subdivisional Courts shall be forwarded to the District Record Room in the course of the fourth month succeeding the month in which they were decided, unless otherwise directed by the High Court. (3) Before transmission, the Court shall ensure that: (a) File A and File B are complete; (b) order-sheet is signed/authenticated; (c) judgment/final order is attached; (d) exhibits and material object lists are complete; (e) property disposal orders are passed or pending status is recorded; (f) custody, warrant, bail bond, fine, compensation and legal aid records are updated; (g) appeal/revision status is noted; (h) sealed/sensitive records are separately packed or digitally restricted; and (i) electronic/digital	Existing Rule 145, Part III, Chapter IV. BNSS appeal, revision, execution and property-disposal provisions require complete lower Court records and timely communication. Section 530 BNSS supports digital transmission/record linkage. Patna High Court Circular Order No. 06 of 2025 / speedy criminal justice directions support avoiding procedural delay in criminal matters.

	records are linked and verified. (4) No decided record shall be transmitted in incomplete, unsigned, unpaginated, unindexed or unsorted condition. (5) Where appeal, revision, reference, execution, compensation, property claim, remand, retrial, further inquiry or superior Court proceeding is pending, the transmission memo shall clearly mention the pending proceeding and record status. (6) Where the record is required urgently for appeal/revision/copy/custody matter, the Court shall transmit the record or authenticated digital copy expeditiously irrespective of ordinary monthly schedule. (7) Delay in transmission beyond prescribed time shall be explained in the monthly consignment statement.	
Rule 146. The District Magistrate shall fix the dates on which records from each Court shall be despatched to the District Record-Room, endeavouring so to fix dates that too many records shall not reach the Record Room at one and the same time.	**Rule 146: Schedule for despatch of records to District Record Room.** (1) The District and Sessions Judge / District Judge, in consultation with the Chief Judicial Magistrate or officer in charge of the District Criminal Record Room, shall fix a schedule for despatch of records from each Court to the District Record Room. (2) The schedule shall be arranged so that excessive numbers of records do not reach the Record Room on the same date and proper checking, receipt, classification, digitisation and shelving can be done. (3) The schedule shall identify monthly/quarterly despatch dates for headquarters Courts, Subdivisional Courts, special Courts and fast-track/special	Judicial record administration, scheduling should be aligned with District Judge/Sessions Judge/CJM supervision, subject to High Court control. BNSS Section 529 provides for High Court's continuous superintendence over Courts, and Section 530 supports electronic record processes. The digital preservation SOP supports digitisation centre

	statute Courts. (4) The Court transmitting records shall send a consignment list containing case number, CNR number, Court, date of disposal, offence/sections, number of files/volumes, sealed record flag, digital record flag, exhibit/material object status, property status, appeal/revision status and retention category. (5) The Record Room shall acknowledge receipt, verify physical/digital completeness and report discrepancies to the transmitting Court within a fixed time. (6) The schedule may include digitisation slot, scanning priority, barcode/QR tagging, metadata entry and digital repository upload. (7) Delayed or defective transmission shall be placed before the Sessions Judge/District Judge or Chief Judicial Magistrate for administrative directions.	workflows, verification by record-keepers and structured transmission to digital repositories.
New Rule.	**Rule 146-A: Consignment list and pre-transmission certification.** (1) No decided record shall be sent to the Record Room without a consignment list and pre-transmission certificate. (2) The certificate shall confirm that: (a) File A and File B are complete and paginated; (b) table of contents is complete; (c) order-sheet is signed/digitally authenticated; (d) exhibits and material objects are accounted for; (e) sealed/sensitive records are separately identified; (f) digital records are linked and accessible; (g) property/fine/compensation/warrant compliance status is noted; (h)	Existing Rules 144–146 regulate transmission to Record Room but do not provide a detailed pre-transmission checklist. Digital preservation SOP emphasises verification by record-room/record-keeper staff and structured table-of-content based transmission for digital preservation.

	appeal/revision status has been checked; and (i) retention/destruction category is proposed. (3) The consignment list shall be signed/authenticated by the responsible ministerial officer and verified by the Presiding Officer or authorised officer. (4) Defective records shall not be accepted in Record Room without deficiency memo and corrective direction.	
New Rule.	**Rule 146-B: Digital scanning, metadata and repository linkage before or after consignment.** (1) Where digitisation facility is available, decided records may be scanned before or after consignment according to High Court-approved workflow. (2) Metadata shall include case number, CNR number, Court, parties/coded names where required, offence/sections, date of institution, date of disposal, result, sentence, appeal/revision status, sealed-record flag, exhibit flag, property flag and retention category. (3) Scanned records shall be checked for completeness, readability, page sequence and linkage with physical record. (4) Digitised sealed/sensitive records shall be stored with role-based access and shall not be available for general viewing. (5) Where digital copy is treated as archival or for certified copy purpose, the system shall preserve authentication, audit trail and access log. (6) Physical records shall not be destroyed merely because	Section 530 BNSS supports electronic proceedings and records. The SOP on Digital Preservation provides for digitisation centres at District Court complexes, certified documents, transmission to central repository and long-term digital preservation. Patna High Court rules page lists e-Certified Copy Rules, 2026, showing movement toward authenticated digital records/copies.

	scanning has been completed unless destruction is authorised by High Court rules.	
New Rule.	**Rule 146-C: Transmission and storage of sealed or sensitive records.** (1) Sealed or sensitive records shall be packed, transmitted, received and stored separately from the open record, with restricted-access marking. (2) The open consignment list shall mention only coded reference to sealed record and shall not disclose protected identity or sensitive content. (3) The sealed-record packet or digital restricted folder shall bear case number, CNR number, seal description, number of sealed covers/files and authorised access category. (4) On receipt, the Record Room shall verify seal condition and enter it in the sealed-record register. (5) Any broken seal, missing sealed cover, unauthorised access or mismatch shall be reported immediately to the District Judge/Sessions Judge/Chief Judicial Magistrate. (6) Inspection, copying, transmission or destruction of sealed record shall be by Court order only.	Patna Vulnerable Witness Guidelines support protected handling of vulnerable witness records and confidentiality. BSA and BNSS electronic-record frameworks require secure handling of sensitive electronic records.
New Rule.	**Rule 146-D: Records in which appeal, revision or execution is pending.**(1) Where appeal, revision, reference, confirmation, retrial, further inquiry, sentence execution, fine recovery, compensation, property claim, confiscation, remission, commutation, mercy petition or superior Court proceeding is pending, the transmitting Court shall	BNSS chapters on appeals, revisions, execution and disposal of property require preservation and transmission of records until finality. Section 530 BNSS supports authenticated

	mark the record accordingly. (2) Such record may be consigned to Record Room only with a pending-proceeding flag and clear note of the authority before which the matter is pending. (3) If the original record is required by appellate/revisional/superior Court, the Record Room shall transmit it promptly with record movement memo. (4) If digital copy or scanned record is sufficient under Court direction, authenticated digital transmission may be used. (5) No destruction or routine weeding shall be done while any such proceeding remains pending.	electronic transmission where permitted.
New Rule.	**Rule 146-E: Receipt, verification and deficiency memo by Record Room.**(1) On receipt of records, the Record Room shall verify the consignment list, number of volumes, pagination, File A/File B, order-sheet, judgment, exhibits list, material object list, sealed records, digital folders and retention category. (2) If any deficiency is found, the Record Room shall issue a deficiency memo to the transmitting Court within the prescribed time. (3) The transmitting Court shall cure the defect or submit explanation within the time fixed. (4) Serious defects such as missing judgment, unsigned order-sheet, missing exhibit, broken seal, missing custody/warrant paper, or missing digital record shall be reported to the Presiding Officer and Sessions Judge/District	Existing Rules 144–146 provide for transmission but require modern verification mechanism. Digital preservation SOP emphasises record-room verification and digitisation workflow management.

	Judge/CJM. (5) Record Room shall not accept incomplete records as complete merely because they have been physically received.	
New Rule.	**Rule 146-F: Record movement and audit trail after consignment.** (1) Every movement of a consigned record from Record Room to Court, copying section, appellate/revisional Court, digitisation unit, inspection section or any authority shall be recorded in a physical or electronic movement register. (2) The movement entry shall mention case number, CNR number, volume/file, date/time of issue, purpose, person receiving, expected return date, actual return date and condition of record on return. (3) Digital record access shall be role-based and logged. (4) Loss, damage, missing page, broken seal, unauthorised access or digital corruption shall be reported immediately. (5) Overdue records shall be reviewed monthly by the Record Room in-charge and reported to the supervising judicial officer.	Existing Chapter IV concerns transmission to Record Room; continued movement after consignment needs monitoring. Digital preservation SOP and CIS/digital record-room concepts support movement tracking, audit and digital access logs.
New Rule.	**Rule 146-G: Special priority records.** (1) Records in the following categories shall be flagged at consignment and in Record Room: (a) death sentence; (b) life imprisonment; (c) accused/convict in custody; (d) POCSO/sexual offence cases; (e) SC/ST Act cases; (f) NDPS cases; (g) cases involving vulnerable/protected witnesses; (h) cases involving mental illness/unsoundness of mind; (i) trial in absentia/proclaimed offender cases; (j) cases with significant electronic evidence; (k) cases	BNSS includes special provisions on electronic proceedings, trial in absentia, accused persons of unsound mind, compensation, witness protection, appeals/revisions and execution. Patna Vulnerable Witness

	involving compensation, restitution or proceeds of crime; and (l) any case directed by Court/High Court. (2) These flags shall assist priority retrieval, restricted access, preservation, digital backup and prevention of wrongful destruction.	Guidelines require protected handling of vulnerable witness records.
New Rule.	**Rule 146-H: Responsibility for delay, loss or defective transmission.** (1) Delay in transmission, defective consignment, missing record, missing exhibit, broken seal, incomplete digital linkage or unexplained non-receipt shall be entered in the deficiency/movement register. (2) The supervising judicial officer may call for explanation from the responsible Court staff, Record Room staff, copying section, digitisation unit or transmitting branch. (3) Where delay affects appeal, revision, custody, bail, release, compensation, victim protection or limitation, the matter shall be treated as urgent and reported to the District Judge/Sessions Judge/CJM. (4) Where a record is lost or seriously damaged, reconstruction proceedings shall be initiated immediately.	Existing Rule 146 aims to regulate despatch load to Record Room; accountability is needed for delay and defective transmission. Patna High Court speedy justice directions and BNSS electronic-mode framework support timely record transmission and accountability.
New Rule.	**Rule 146-I: Reconstruction of lost, damaged or corrupted records.** (1) Where a record transmitted to or kept in Record Room is lost, damaged, destroyed, illegible, incomplete or digitally corrupted, the fact shall be immediately reported to the Presiding Officer and District Judge/Sessions Judge/CJM. (2) Reconstruction may be	BNSS appeal/revision/execution provisions require reliable records for judicial scrutiny. BSA public-document and electronic-record framework supports use of

	undertaken from certified copies, CIS/e-Courts entries, scanned copies, counsel copies, police/prosecution records, jail records, FSL reports, certified depositions, appellate records, digital repository or any other lawful source. (3) Parties may be heard where reconstruction affects rights, evidence, appeal, revision, custody, property, compensation or final adjudication. (4) A reconstruction memorandum shall be kept in the reconstructed file and digital repository. (5) Reconstructed records shall be clearly marked as such and shall preserve audit trail of sources used.	certified/authenticated sources for reconstruction. The digital preservation SOP supports scanned/digital repository use for archival and retrieval.
PART III **RECORDS** **CHAPTER V — PRESERVATION AND DESTRUCTION OF RECORDS AND RETURN OF EXHIBITS** **RULES 147 TO 155-K** This part aligns with consignment lists for District Record Room and Sessions Judge's Record Room; physical and electronic catalogues; duplicate acknowledgment and audit trail; correction of preservation classification after appeal/revision; updated preservation classes under BNSS/BNS/BSA; permanent and special preservation categories; accused not apprehended/proclaimed offender/trial in absentia records; maintenance, compensation, restitution and property records; return of bulky public registers/private account books; return of electronic source records after certified extraction; notice for return of exhibits after finality; impounded and non-returnable documents; annual destruction and secure disposal; digital destruction/deletion protocol; sealed/sensitive record preservation; quinquennial review; preservation of catalogues, registers and audit logs; annual compliance reporting.		
Rule 147. A list in Form No. (R) 13 shall accompany all	**Rule 147: Consignment lists for records sent to District Record Room and Sessions Judge's Record Room.** (1) Every record sent by	Existing Rule 147, Part III, Chapter V, Patna Criminal Court Rules. Section

records sent by Magistrates to the District Record Room, and a list in Form No. (R) 14 shall accompany all records sent to the Sessions Judge's Record Room. One list only shall be prepared for records of all four classes under Rule 150. Records mentioned in provisos to Rule 150 shall be entered in a separate list.	Magistrates to the District Record Room shall be accompanied by a consignment list in the prescribed form or electronic equivalent. (2) Every record sent to the Record Room of the Sessions Judge/District and Sessions Judge shall be accompanied by a consignment list in the prescribed form or electronic equivalent. (3) The consignment list shall classify records according to the preservation categories prescribed under these Rules. (4) Records falling under permanent preservation, special preservation, sealed preservation, or the provisos to the preservation rule shall be entered in a separate list or separately flagged in the electronic consignment list. (5) The list shall contain, as far as applicable: (a) serial number; (b) case number and CNR number; (c) Court name; (d) police station case number/complaint number; (e) name/code of parties; (f) offence/sections; (g) date of judgment/final order; (h) result; (i) sentence/fine/compensation; (j) custody status; (k) appeal/revision/execution status; (l) File A/File B status; (m) sealed/sensitive record flag; (n) electronic/digital record flag; (o) material object/exhibit/property status; (p) preservation class; and (q) remarks. (6) Separate entries shall be made or separate digital flags used for records involving proclaimed offenders, absconding accused, maintenance orders, attachment orders, accused in custody, death sentence, life imprisonment, sexual offences, POCSO, SC/ST Act,	530 BNSS permits proceedings under BNSS, including recording of evidence, issuance/service/execution of process and appellate proceedings, to be held in electronic mode; therefore consignment lists may have electronic equivalents and digital linkage. Bharatiya Sakshya Adhiniyam, 2023 recognises electronic records and contains Section 63 on admissibility of electronic records, making electronic-record identification and preservation necessary in record-room lists. Patna High Court has notified e-Certified Copy Rules, 2026 for electronic applications for certified copies of orders, judgments, petitions, documents and evidence available on pending or disposed case records, while preserving restrictions applicable

	NDPS, vulnerable witnesses, protected witnesses, mental illness/unsoundness of mind, trial in absentia, significant electronic evidence, compensation/restitution or proceeds of crime. (7) The list may be generated through CIS/e-Courts/DMS or any High Court-approved system and shall be authenticated by the transmitting Court.	to restricted documents. (patnahighcourt.gov.in)
Rule 148. The lists must be uniform in size and shape and shall be bound up from time to time as catalogues of records sent to the District Record Room and Sessions Judge's Record Room. They shall be preserved for the same period as the record to which they relate.	**Rule 148: Catalogue of consigned records and digital catalogue.** (1) Consignment lists shall be uniform in form and shall be bound, stored or digitally compiled from time to time so as to constitute catalogues of records sent to the District Record Room and the Sessions Judge's Record Room. (2) The catalogue may be maintained physically and electronically. (3) The catalogue shall be preserved for the same period as the record to which it relates. (4) For permanent records, the corresponding catalogue entry shall also be preserved permanently. (5) The digital catalogue shall be searchable by CNR number, case number, Court, police station case number, parties/coded parties, offence, date of disposal, preservation class, record-room location, sealed-record flag, digital-record flag and destruction status. (6) Where any record is destroyed, transferred, reconstructed, digitised, sealed, migrated or retained beyond the ordinary period, the catalogue shall be updated accordingly. (7) Sensitive records shall be catalogued in a manner that does not disclose protected identity, child victim identity,	Existing Rule 148, Part III, Chapter V. BNSS Section 530 supports electronic record processes and digital proceedings. BSA Section 63 and the Schedule to Section 63 require identification of electronic record/device/source and support proper metadata preservation for electronic records. Patna e-Certified Copy Rules, 2026 apply to e-certified copies of documents/evidence available on pending or disposed case records, supporting searchable digital catalogues while respecting restricted documents. (patnahighcourt.gov.in)

	sexual offence victim identity, witness protection details, medical/mental-health records or private electronic material.	
Rule 149. The lists required by Rule 147 shall contain an entry of every case disposed of during the period to which they relate and be prepared in duplicate by carbon paper. One copy shall be forwarded with records. Duplicate copy shall be sent separately to the Judge or Magistrate in charge of Record Room and returned signed by Record-Keeper acknowledging receipt. Duplicate copies shall be preserved by issuing Court for three years from despatch. Notes require serial numbering, correction of classification after	**Rule 149: Preparation, acknowledgment and correction of consignment lists.** (1) The consignment list shall contain an entry of every case disposed of during the period to which the list relates. (2) The list shall be prepared in duplicate or in electronic equivalent with secure acknowledgment. (3) One copy, physical or electronic, shall accompany the records sent to the Record Room. (4) The duplicate copy or electronic acknowledgment request shall be sent separately to the officer in charge of the Record Room. (5) The Record-Keeper shall acknowledge receipt after verifying the number of records, volumes, File A/File B, sealed covers, electronic folders, exhibit lists and material-object/property status. (6) The duplicate acknowledgment shall be preserved by the issuing Court for **three years** from the date of despatch, or for such further period as may be directed by the High Court where records are sensitive, disputed, reconstructed or digitally migrated. (7) Every entry shall be serially numbered. (8) If the classification of a record changes due to appeal, revision, retrial, acquittal being set aside, conviction being modified, sentence being enhanced/reduced, death sentence confirmation, maintenance order, compensation order, property order or any superior Court direction, the	Existing Rule 149, including Notes 1 and 2, Part III, Chapter V. BNSS appeal, revision, execution, compensation and property-disposal provisions require preservation classification to be corrected when the result of the case changes after superior Court orders. Section 530 BNSS supports electronic acknowledgment and digital audit trails. Patna e-Certified Copy Rules, 2026 cover e-certified copies of pending and disposed case records, making accurate catalogue and acknowledgment systems necessary. (patnahighcourt.gov.in)

appellate modification, and noting destruction of records mentioned in provisos to Rule 150.	preservation class shall be corrected in the consignment list and catalogue. (9) Where destruction is carried out in respect of any record falling under a proviso/special category, a note of destruction, date, authority and destruction certificate shall be entered against the relevant list entry. (10) Electronic consignment and acknowledgment shall preserve audit trail of despatch, receipt, deficiency memo, correction and destruction.	
Rule 150. Preservation periods are divided into Classes I–IV. Class I records are preserved for 14 years; Class II for 5 years; Class III for 2 years; Class IV for 1 year. Proviso 1 makes certain records permanent, including records where accused/parties have not been apprehended, records involving offences whose repetition attracts enhanced punishment, and	**Rule 150: Classification and period of preservation of criminal records.** (1) The period for which criminal records shall be preserved shall be calculated from the date of final judgment or final order, subject to appeal, revision, execution, sentence, compensation, property, maintenance, attachment, witness protection and other continuing proceedings. (2) Records shall be classified into preservation categories broadly corresponding to existing Classes I, II, III and IV, but updated to BNSS, BNS, BSA and special statute requirements. **Class I — Long-term preservation / not less than fourteen years, unless permanent preservation applies** (3) The following records shall be preserved for not less than fourteen years, or for such longer period as the High Court may prescribe: (a) File A and File B of Sessions and Magistrates' cases involving serious offences corresponding to robbery, dacoity, preparation/assembly for dacoity,	Existing Rule 150 and its Classes I–IV, Provisos 1–3, Notes and quinquennial revision requirement. BNSS Chapter XXXVI governs disposal of property; Sections 497–505 cover custody/disposal pending trial, disposal at conclusion of trial, appeal against disposal orders, seizure by police, no-claimant property and sale of perishable property, which affect record retention where property or exhibits remain unresolved. BNSS Section 530 supports electronic records and electronic proceedings, so

maintenance order records. Proviso 2 says no record shall be destroyed where sentence has not expired. Proviso 3 says records of cases with attachment under Section 146 Cr.P.C. shall not be destroyed while attachment remains in force. The rule also provides quinquennial revision for permanent records with possible destruction when persons are known/presumed dead.	habitual organised crime, serious property offences, offences punishable with death, life imprisonment or imprisonment of ten years or more, and other offences notified by the High Court; (b) File A and File B of security/proceedings against habitual offenders or persons requiring security for good behaviour under corresponding BNSS provisions; (c) File A of Sessions cases resulting in conviction; (d) File A of non-bailable Magistrates' cases resulting in conviction; (e) File A of appeals and revisions arising from the above categories; (f) records involving significant electronic evidence, biological evidence, forensic evidence, or material objects whose preservation is necessary for appeal/retrial/further investigation; (g) records involving victim compensation, proceeds of crime, restitution or continuing property consequences. **Class II — Preservation for five years** (4) The following records shall be preserved for five years, unless they fall in Class I or permanent category: (a) File A of possession/attachment/public order proceedings corresponding to old Chapter X Cr.P.C.; (b) File A of security proceedings other than habitual offender/security categories requiring longer preservation; (c) File A of appeals/revisions arising from such proceedings; (d) File A of cases where complaint is dismissed after inquiry under corresponding complaint provisions of BNSS, or where Sessions Court	preservation rules must cover scanned/electronic records and audit trails. BSA Section 63 and the Schedule to Section 63 require device/source details and electronic-record certification, supporting preservation of digital evidence metadata, hash values and certificates. BNS replaced IPC from 1 July 2024; therefore references to IPC offences such as Sections 392–402 require corresponding BNS mapping or description by offence category.

	passes discharge order after consideration of record; (e) records of property proceedings where appeal/revision or restoration claim may arise. **Class III — Preservation for two years** (5) The following records shall be preserved for two years, unless otherwise required: (a) Files A and B of miscellaneous cases not falling in higher categories; (b) Files A and B of bailable Magistrates' cases; (c) File A, including necessary File B papers, of appeals/revisions arising from such cases; (d) File B of Class I and II cases, except where File B contains sensitive, sealed, exhibit, property, compensation, custody or other papers requiring longer retention. **Class IV — Preservation for one year** (6) The following records may be preserved for one year, unless otherwise required: (a) Files A and B of cases where process is declined or complaint is dismissed at the preliminary stage without inquiry, subject to revision/limitation safeguards; (b) Files A and B of cases where discharge is ordered under corresponding BNSS provisions, unless the case involves serious offence, special statute, vulnerable witness, child victim, sexual offence, property, compensation or pending challenge; (c) Files A and B of acquittal cases not falling in Class I or special category; (d) cases where capital sentence has been executed, except where permanent/longer preservation is required due to nature of offence, confirmation proceedings, mercy petition record, public	

	importance or High Court direction. **Permanent preservation / special preservation** (7) The following records shall be treated as permanent or special preservation records until conditions for lawful destruction are satisfied: (a) records of cases where any accused, proclaimed offender or party proceeded against has not been apprehended; (b) records of cases tried in absentia or where evidence was recorded in absence of accused; (c) records of offences where previous conviction may attract enhanced punishment on repetition; (d) records of maintenance orders; (e) records where sentence has not expired; (f) records where attachment, possession, property, confiscation, compensation, restitution or proceeds-of-crime order remains in force; (g) records involving witness protection orders, vulnerable witness protection, sealed identity, continuing victim protection or non-contact directions; (h) records ordered by Court, Sessions Judge, District Judge or High Court to be preserved permanently. (8) No record shall be destroyed while any sentence, default sentence, fine recovery, compensation, maintenance, victim compensation, attachment, forfeiture, confiscation, property restoration, bond, protection order or supervision order remains in force. (9) No record shall be destroyed while appeal, revision, reference, death reference, confirmation, retrial, further inquiry, mercy	

	petition, remission/commutation proceeding, special leave petition, property claim or superior Court proceeding is pending. (10) A five-yearly review shall be made of permanent/special preservation records to identify records which have lawfully become destructible, subject to High Court directions. (11) Records may be retained beyond the ordinary period where historical, legal, administrative, precedential, research, forensic, digital, public importance or justice-related reasons exist. (12) Destruction of physical record shall not automatically authorise destruction of digitised/electronic copy unless permitted by High Court rules.	
Rule 151. Sessions Judges and Magistrates may, at their discretion, preserve any particular paper on the record of any particular case beyond the above periods.	**Rule 151: Discretionary preservation beyond prescribed period.** (1) Sessions Judges, Magistrates, District Judges, Chief Judicial Magistrates or any officer authorised by the High Court may direct preservation of any record, file, paper, exhibit, electronic record, audio-video record, sealed record or material object beyond the ordinary preservation period. (2) Such direction may be issued where the record is required for: (a) appeal, revision, reference, retrial or further inquiry; (b) execution of sentence, fine, compensation or warrant; (c) maintenance or continuing family/person-related order; (d) victim compensation, restitution or proceeds-of-crime distribution; (e) property, attachment, confiscation or disposal proceedings; (f) previous	Existing Rule 151, Part III, Chapter V. BNSS appeal, revision, execution, compensation, property and witness-protection frameworks justify continued preservation where judicial consequences are still alive. BSA electronic-record provisions justify preserving electronic records, metadata and certificates beyond ordinary paper retention where digital evidence remains relevant.

	conviction/enhanced punishment relevance; (g) proclaimed offender/absconding accused; (h) witness protection or vulnerable witness concerns; (i) forensic, electronic or biological evidence preservation; (j) historical/public/legal importance; (k) pending connected proceeding; or (l) High Court/Supreme Court direction. (3) The direction shall specify the paper/record preserved, reason for extended preservation, review date and whether physical, digital or both forms are to be preserved. (4) Such direction shall be entered in the record-room catalogue, preservation register and digital metadata. (5) No such record shall be destroyed without further review and written order.	
Rule 152. When an entry in a public register, private account book or other bulky record, not itself the object of offence, is produced and exhibited, and retention would inconvenience public/person producing it, the register/book/record shall be returned after marking the	**Rule 152: Return of public registers, account books, bulky records and electronic source records after certified extraction.** (1) Where an entry in a public register, private account book, business ledger, institutional record, bank register, hospital register, school record, government register, revenue record, telecom/business record or other bulky record is produced in evidence and the record itself is not the subject matter of offence, the Court may return the original after preserving a certified extract/copy. (2) Before return, the Court shall: (a) identify and mark the relevant entry/entries; (b) obtain or prepare certified copy, scanned copy, photograph or authenticated extract; (c)	Existing Rule 152, Part III, Chapter V. BSA Section 63 and the Schedule to Section 63 support retaining authenticated electronic outputs, certificate, device/source details and hash information when electronic source records are returned. BNSS property and exhibit-disposal provisions require courts to preserve evidentiary substitutes before releasing

entry for identification and filing certified copy of the entry. The person must produce it when required and may be required to execute bond.	record page number, register number, date, entry number and exhibit number; (d) note whether original was seen by the Court; (e) record the person to whom it is returned; and (f) obtain receipt and, where necessary, bond/undertaking for production. (3) In electronic records, the Court may permit return of the original device/system-generated record/source media after preserving printout, certified electronic copy, forensic image, hash value, certificate under BSA, transcript, log extract or other authenticated copy, as appropriate. (4) The person to whom the register, book, device, source record or electronic system is returned shall be bound to produce it when required by the Court, appellate Court or revisional Court. (5) If the original itself is the subject matter of offence, alleged forgery, alteration, fabrication, tampering, destruction, counterfeiting or dispute, it shall not be returned unless the Court records reasons and preserves adequate substitute evidence. (6) Sensitive records such as medical records, child records, sexual offence material, protected witness records, financial credentials or private electronic data shall be copied/extracted and returned only under confidentiality safeguards.	bulky/perishable/necessary public records.
Rule 153. After judgment/order becomes final, notice shall be given to	**Rule 153: Notice for return of documents and exhibits after finality.**(1) When the judgment or final order in a case becomes final, and any document, exhibit, register, book, electronic record, storage	Existing Rule 153, Part III, Chapter V. BNSS Chapter XXXVI on disposal of property supports return/disposal after

the person who produced any document admitted and used in evidence, or his pleader, requiring him to take it within six months; failing which it will be destroyed when the record is destroyed. Notice must warn owner that document is kept at his risk and Court declines responsibility for safe custody. Copy of notice shall be put up in the Court in which case was tried.	media or article admitted and used in evidence is returnable to the person who produced it, notice shall be issued to such person or his advocate/authorised representative to take it back within six months or within such period as the Court directs. (2) The notice shall specify: (a) case number and CNR number; (b) exhibit number/document description; (c) date by which it must be taken back; (d) requirement of identity proof/authority; (e) undertaking/bond if required; (f) consequence of non-collection; and (g) whether certified copy/digital copy has been retained. (3) The notice shall warn that if the document is not collected within the specified period, it may be destroyed, retained, digitised, returned, transferred or otherwise dealt with in accordance with these Rules and Court order when the record is destroyed or reviewed. (4) A copy of the notice shall be displayed in the Court or notified through Court notice board/electronic notice board, subject to confidentiality restrictions. (5) In sensitive cases, the public notice shall not disclose protected identity, child victim identity, sexual offence details, medical records, private electronic material or witness protection information. (6) Where the document belongs to a public office, bank, hospital, school, government authority or institution, notice may be sent through official physical or electronic mode. (7) If the owner fails to collect the exhibit, the Court shall record	finality and subject to pending appeals or property claims. Patna e-Certified Copy Rules, 2026 recognise e-certified copies of documents/evidence available on record, supporting digital copy retention where originals are returned. (patnahighcourt.gov.in)

	the fact before destruction/disposal and shall preserve certified copy or electronic substitute where necessary for future judicial purposes.	
Rule 154. When returning documents, care must be taken that any document which the Court has impounded is not delivered out of the custody of the Court.	**Rule 154: Impounded documents and non-returnable exhibits.** (1) No document, electronic record, material object or exhibit impounded by the Court shall be returned, destroyed, copied for return, transferred or released from Court custody except by specific order of the Court or superior Court. (2) Before returning any document/exhibit, the record-keeper or authorised officer shall verify from the order-sheet, exhibit list, impounding order, stamp report, forgery/tampering allegation and property register whether the document is impounded or otherwise non-returnable. (3) Impounded documents shall be marked as such in the exhibit list, table of contents, record-room catalogue and digital metadata. (4) Documents suspected of forgery, fabrication, tampering, insufficient stamping, counterfeit security, altered public record, false evidence or offences relating to documents shall not be returned unless the Court records reasons and preserves certified copy/forensic copy as required. (5) Electronic records/devices suspected of tampering, hacking, fabrication, obscene/child sexual material, private data breach or cyber offence shall not be returned unless forensic preservation, hash certification, lawful deletion/restriction and Court order are completed. (6) Any accidental or unauthorised return of an impounded document	Existing Rule 154, Part III, Chapter V. BSA provisions on documentary and electronic evidence, including Section 63, require preservation of authenticated electronic material where genuineness/admissibility is in issue. BNSS property custody/disposal framework supports retention of exhibits which remain legally material or are subject to Court control.

	shall be immediately reported to the Presiding Officer and steps for recall/recovery shall be taken.	
Rule 155. Destruction of records shall take place at the end of each calendar year by burning in presence of the record-keeper. Sessions Judges and District Magistrates will note in Annual Reports whether rules were duly observed. Note says rules must be read with Section 8, Act III of 1879.	**Rule 155: Annual destruction, secure disposal and certification of records.** (1) Destruction of records shall take place at the end of each calendar year or at such intervals as the High Court may direct, after review of preservation periods, pending proceedings and special preservation flags. (2) No record shall be destroyed unless: (a) preservation period has expired; (b) appeal/revision/reference/execution/superior Court proceeding is not pending; (c) sentence/fine/compensation/maintenance/property/attachment/protection order has ceased or is not affected; (d) exhibits/material objects/electronic records have been accounted for; (e) sealed/sensitive records have been separately reviewed; (f) destruction list is prepared and approved by competent authority; and (g) destruction certificate is prepared. (3) Destruction may be by burning, shredding, pulping, secure incineration, certified destruction, secure deletion or any High Court-approved method, depending on the nature of the record. (4) Sensitive records, including child victim records, sexual offence material, vulnerable witness records, protected witness records, medical/mental-health records and private electronic data, shall be	Existing Rule 155, Part III, Chapter V. BNSS Section 530 supports electronic proceedings and therefore requires rules on secure deletion, archival and migration of digital records. Patna e-Certified Copy Rules, 2026 apply to electronic applications for e-certified copies of records/documents/evidence in pending and disposed cases; this supports retaining clarity on whether a digital record can be used for certified copy purposes. (patnahighcourt.gov.in) BSA electronic-record provisions make secure preservation/deletion logs important for evidentiary integrity.

	destroyed by secure confidential method and not by ordinary open destruction. (5) Digital records shall be deleted, archived, migrated, anonymised or preserved according to High Court-approved digital preservation and deletion protocol; deletion shall be supported by audit log or deletion certificate. (6) Destruction shall take place in the presence of the record-keeper and such supervising officer as may be nominated by the District Judge/Sessions Judge/CJM. (7) The destruction register shall contain case number, CNR number, preservation class, date of final order, destruction authority, date/mode of destruction, officer present and remarks. (8) The Sessions Judge/District Judge/CJM shall report compliance with preservation and destruction rules in the annual inspection/administrative report as directed by the High Court. (9) If a record is destroyed after digitisation, the digital record shall clearly show whether it is archival copy, certified copy source, or only scanned reference copy.	
New Rule.	**Rule 155-A: Preservation of electronic, digitised and audio-video records.** (1) Electronic, digitised, scanned and audio-video records shall be preserved in accordance with High Court-approved digital preservation protocol. (2) Such records include: (a) scanned case records; (b) electronic filings; (c) digitally signed orders; (d) audio-video evidence; (e) vulnerable witness deposition recordings; (f) trial	Section 530 BNSS expressly permits proceedings and recording of evidence in electronic mode. BSA Section 63 and the Schedule require identification of electronic record, device/source particulars and certificate, supporting

	in absentia recordings; (g) commission evidence recordings; (h) electronic exhibits; (i) CCTV/audio/video files; (j) digital certificates under BSA; (k) hash reports and forensic images; and (l) electronic communication acknowledgments. (3) The preservation record shall contain file name, format, storage location, hash value, date of creation, date of upload, access level, backup status and deletion/migration schedule. (4) Any migration from one format/system to another shall preserve integrity, metadata and audit trail. (5) Digital record shall be backed up and protected against alteration, deletion, corruption and unauthorised access. (6) Where digital record relates to sensitive or sealed material, access shall be role-based and restricted by Court order or High Court protocol.	preservation of hash values, source details and certificates. Patna e-Certified Copy Rules, 2026 cover e-certified copies of documents/evidence available on record and keep restricted documents restricted. (patnahighcourt.gov.in)
New Rule.	**Rule 155-B: Preservation of sealed and sensitive records.** (1) Sealed and sensitive records shall be separately preserved and shall not be destroyed under general destruction lists without specific review. (2) Such records include: (a) POCSO and child victim records; (b) sexual offence victim identity records; (c) vulnerable witness records; (d) protected witness identity and witness protection orders; (e) in-camera deposition records; (f) medical, mental-health and disability records; (g) private photographs/audio/video records; (h) electronic devices containing sensitive data; (i) sealed statements/confessions; and (j) any	Existing Rule 150 creates special/permanent categories and Rule 155 deals with destruction generally, but modern sensitive-record categories require separate handling. Patna High Court Vulnerable Witness Guidelines, 2025 emphasise confidentiality and protected handling of vulnerable witness material.

	document directed by Court to be sealed. (3) The open destruction list shall use coded reference and shall not disclose protected identity or sensitive content. (4) Destruction or continued preservation of sealed records shall be by specific order or approved protocol. (5) Opening, inspection, copying, migration, destruction or resealing of sealed records shall be logged.	(patnahighcourt.gov.in) Patna e-Certified Copy Rules, 2026 specifically preserve restrictions on restricted documents even in e-certified copy framework. (patnahighcourt.gov.in)
New Rule.	**Rule 155-C: Preservation of records involving accused not apprehended, proclaimed offenders and trial in absentia.** (1) Records of cases in which any accused, proclaimed offender or party proceeded against has not been apprehended shall be preserved as special/permanent records until lawful destruction is permitted. (2) The record shall not be destroyed merely because proceedings against other accused have concluded. (3) The record-room catalogue shall flag such cases as "accused not apprehended / proclaimed offender / separated trial / trial in absentia", as applicable. (4) Where evidence has been recorded in absence of accused, or trial in absentia has proceeded, the depositions, audio-video record, proclamation record, warrant record, publication, State-funded counsel appointment and compliance chart shall be preserved. (5) Five-yearly review shall verify whether the accused has been arrested, appeared, died, been declared dead, or whether the record still requires preservation.	Existing Rule 150 Proviso 1 treats records of cases where any accused/party proceeded against has not been apprehended as permanent. BNSS contains provisions on proclaimed offender trial in absentia and recording evidence in absence of accused; these require special preservation until the accused appears or proceedings attain lawful finality.

New Rule.	**Rule 155-D: Preservation of records involving maintenance, compensation, restitution and continuing monetary orders.** (1) Records containing maintenance orders, victim compensation, compensation, restitution, fine payable to victim, proceeds-of-crime distribution or continuing monetary directions shall be preserved until all enforceable liabilities, modification proceedings, recovery proceedings and appeals/revisions are concluded. (2) Maintenance records shall be treated as permanent/special preservation records until the persons on whose account they are preserved are known to be dead or until destruction is otherwise permitted by law/High Court direction. (3) Compensation and restitution records involving children, sexual offence victims, vulnerable victims, SC/ST Act victims or protected witnesses shall be preserved with confidentiality. (4) Disbursement records, bank details and victim identity shall be kept in sealed/restricted form. (5) The catalogue shall indicate whether monetary compliance is pending, completed, modified or stayed.	Existing Rule 150 Proviso 1 treats records of cases where maintenance order has been made under old Section 125 Cr.P.C. as permanent. BNSS contains compensation and victim compensation provisions and property/proceeds-of-crime mechanisms that may require long-term compliance tracking.
New Rule.	**Rule 155-E: Preservation of property, attachment, confiscation and proceeds-of-crime records.** (1) Records of any case in which property attachment, immovable property possession, confiscation, forfeiture, restoration, proceeds-of-crime attachment, compensation from property, or property-disposal order remains in force shall not be	Existing Rule 150 Proviso 3 protects records where attachment under old Section 146 Cr.P.C. remains in force. BNSS Chapter XXXVI, Sections 497–505, governs disposal of property and

	destroyed while such order or proceeding remains operative. (2) The file shall retain orders, inventories, photographs, videos, property lists, material object lists, auction papers, sale proceeds records, claimant notices, FSL reports, destruction certificates and compliance reports. (3) Where property is electronic/digital, the record shall preserve forensic image details, hash value, certificate, deletion/destruction certificate, return order and access restrictions. (4) Property records involving private data, child sexual material, sexual offence evidence, financial credentials or protected identity shall be preserved and destroyed only under restricted procedure.	related orders; these records must survive while property orders/appeals/claims remain alive.
New Rule.	**Rule 155-F: Destruction list, approval and certificate.** (1) Before destruction, the Record Room shall prepare a proposed destruction list class-wise and Court-wise. (2) The list shall include case number, CNR number, Court, date of final order, preservation class, destruction due date, appeal/revision status, sentence/compensation/property status, sealed-record flag, digital-record flag and remarks. (3) The proposed destruction list shall be scrutinised by the Record-Keeper and placed before the officer in charge of the Record Room/Sessions Judge/District Judge/CJM or other competent authority for approval. (4) After destruction, a destruction certificate shall be prepared stating date, place, mode, officer present, records destroyed and exceptions	Existing Rules 149, 150 and 155 require noting destruction and annual destruction, but a detailed destruction-list approval mechanism is required for modern record management. BNSS provisions on appeals, revisions, execution, property and compensation require checking finality before destruction.

	retained. (5) A destruction note shall be entered in the catalogue, consignment list and digital metadata. (6) No record shall be destroyed if any doubt exists regarding appeal/revision, sentence expiry, compensation, property, maintenance, attachment or special preservation status until clarification is obtained.	
New Rule.	**Rule 155-G: Destruction of electronic records and digital evidence.**(1) Electronic records and digital evidence shall not be deleted or destroyed merely because the physical record is destructible. (2) Digital destruction shall follow High Court-approved protocol and shall record: (a) file name; (b) hash value; (c) storage location; (d) case number and CNR number; (e) authority permitting deletion; (f) date/time of deletion; (g) person/system performing deletion; (h) backup status; and (i) deletion certificate/audit log. (3) Where electronic evidence is required for appeal, revision, retrial, further investigation, compensation, property claim or connected case, it shall be retained. (4) Sensitive electronic material shall be destroyed by secure deletion or other authorised method and shall not be copied or migrated except under order/protocol. (5) Where e-certified copy systems depend on digital records, deletion shall be coordinated with the certified copy and repository rules.	BNSS Section 530 supports electronic records and proceedings. BSA Section 63 and its Schedule require electronic-record identification, device/source particulars and certificate; destruction must therefore preserve audit and authenticity records where needed. Patna e-Certified Copy Rules, 2026 cover e-certified copies of evidence/documents available on record, making coordination with digital repository essential. (patnahighcourt.gov.in)

New Rule.	**Rule 155-H: Records not to be destroyed while sentence, custody or supervision consequence continues.** (1) No record shall be destroyed where sentence has not expired, fine/default sentence is pending, accused/convict is in custody, remission/commutation/mercy proceeding is pending, or release/warrant compliance remains incomplete. (2) No record shall be destroyed while a bond, surety, security for good behaviour, supervision, residence-notification order, maintenance order, protection order or witness protection order continues to operate. (3) The Record Room shall verify custody and sentence status from warrant records, jail communication, CIS entry and execution register before destruction. (4) Where doubt exists, the record shall be retained until clarification from the Court or jail authority.	Existing Rule 150 Proviso 2 provides that no record shall be destroyed where the sentence has not expired. BNSS provisions on execution, sentence, bail/bonds, witness protection and electronic communication require retention while legal consequences continue.
New Rule.	**Rule 155-I: Quinquennial review of permanent and special preservation records.** (1) A five-yearly review shall be made of records preserved permanently or specially under these Rules. (2) The review shall identify whether the reason for preservation continues, including: (a) accused not apprehended; (b) proclaimed offender status; (c) maintenance order; (d) enhanced-punishment relevance; (e) sentence not expired; (f) attachment/property order; (g) witness protection order; (h) compensation/restitution proceeding; (i)	Existing Rule 150 Note requires quinquennial revision of records mentioned in Proviso 1 to determine those liable to destruction.

	electronic/forensic preservation requirement; and (j) superior Court direction. (3) Where destruction becomes permissible, the case shall be placed in the proposed destruction list with reasons. (4) Where preservation must continue, the catalogue shall be updated with next review date. (5) Death or presumed death of persons relevant to permanent preservation shall be recorded only on reliable material or after the period and conditions permitted by Rules/High Court directions.	
New Rule.	**Rule 155-J: Preservation and destruction of registers, catalogues and audit records.** (1) Record-room catalogues, consignment lists, destruction lists, inspection registers, movement registers, sealed-record registers, digital access logs and destruction certificates shall be preserved for the same period as the records to which they relate, unless a longer period is prescribed. (2) Registers relating to permanent records shall be preserved permanently or until otherwise directed by the High Court. (3) Digital audit logs relating to sealed/sensitive/electronic records shall be preserved in a secure manner and shall not be routinely deleted. (4) Where the underlying record is destroyed, the catalogue/destruction entry shall continue to show that destruction was lawfully carried out.	Existing Rule 148 preserves lists for the same period as the record to which they relate; Rule 149 requires duplicate acknowledgments to be preserved for three years. Electronic record systems under BNSS Section 530 and e-certified copy systems require preservation of audit logs and catalogues.

New Rule.	**Rule 155-K: Annual compliance report on preservation, return and destruction.** (1) The officer in charge of the Record Room shall prepare an annual compliance statement regarding preservation, return of exhibits, destruction of records, pending destruction, defective consignments, missing records, sealed-record handling and digital preservation. (2) The report shall include: (a) number of records received; (b) number digitised; (c) number destroyed; (d) number retained beyond period; (e) number of exhibits returned; (f) number of exhibits pending return; (g) sealed/sensitive records handled; (h) missing/damaged records; (i) digital corruption/deletion issues; and (j) compliance with High Court directions. (3) The Sessions Judge/District Judge/CJM shall review the report and issue necessary administrative directions. (4) Serious irregularities shall be reported to the High Court where required.	Existing Rule 155 requires Sessions Judges and District Magistrates to note in Annual Reports whether preservation/destruction rules have been duly observed. BNSS Section 529 provides for High Court's continuous superintendence over Courts, and Section 530 supports electronic record systems requiring annual digital compliance review.

PART III

RECORDS

CHAPTER VI — CUSTODY AND EXAMINATION OF, AND REQUISITIONS FOR, ACCESS TO AND TRANSMISSION OF RECORDS FROM ONE COURT TO ANOTHER

RULES 156 TO 164-K

This part aligns with custody of decided records; restriction on physical movement of original records; High Court requisitions and seven-day dispatch; reminders for records sent to High Court; Record Room inspection by public officers, advocates and authorised

persons; urgent inspection / transmission in custody and limitation matters; requisitions between Courts; Register (R) 14-A and record movement registers; Government / Commission of Inquiry requisitions; access by Executive Magistrates and Gazetted Police Officers; secure physical and electronic transmission; inter-High Court requisitions; sealed/sensitive record transmission; digital evidence and electronic record transmission; preference for certified/e-certified copies over original movement; return, acknowledgment and reconstruction of records ; accountability for delay, loss, damage or defective transmission.		
Rule 156. Records of decided cases shall be retained in the record rooms of the Courts to which they appertain or of the superior Court of the district, and shall not pass out of custody of officers of such Courts except when called for by superior judicial authority or required by Civil Court under Order XIII Rule 10 CPC. Records should not be sent to other public officers/functionaries; if reference is required, copies should ordinarily be obtained.	**Rule 156: Custody of decided records and restriction on removal from Court custody.** (1) Records of decided criminal cases shall be retained in the Record Room of the Court to which they appertain, or in the Record Room of the superior Court of the district, as directed by the High Court or District Judge/Sessions Judge. (2) No original record, file, exhibit, electronic record, sealed record or material object shall be allowed to pass out of Court/Record Room custody except: (a) when called for by the High Court, Supreme Court, appellate Court, revisional Court or other superior judicial authority; (b) when lawfully required by a Civil Court under Order XIII Rule 10 CPC or corresponding lawful process; (c) when required by a criminal Court for trial, inquiry, appeal, revision, reference, execution, further inquiry, retrial or related judicial proceeding; or (d) when directed by the High Court or competent judicial authority. (3) Records shall not ordinarily be sent to public officers, administrative authorities or other functionaries. Where reference to contents is required, certified copies, authenticated extracts or e-certified copies shall ordinarily be supplied according to rules. (4) Original records may be transmitted only when	Existing Rule 156, Part III, Chapter VI. Section 530 BNSS permits criminal proceedings, including recording evidence, appellate proceedings and other proceedings, through electronic mode; this supports authenticated digital access or transmission instead of unnecessary physical movement of original records. BSA Section 63 recognises electronic records as admissible if statutory conditions are met and certificates identify the electronic record and the manner/device of production; this supports preservation of electronic copies, metadata and authenticated extracts. Patna High Court e-Certified Copy Rules, 2026 provide for e-

	copies or digital extracts are insufficient for the judicial purpose and the requisition specifically requires the original record. (5) Where records contain sealed, sensitive, vulnerable witness, protected witness, child victim, sexual offence, medical, mental-health, private electronic or national-security material, transmission shall be by sealed cover or restricted electronic access. (6) Every movement of original record shall be entered in the record movement register/electronic audit trail. (7) The receiving Court/authority shall return the record immediately after use, unless otherwise directed by superior judicial authority.	certified copies of orders, judgments, petitions, documents and evidence available in pending or disposed case records, while maintaining restrictions for restricted documents.
Rule 157. Records called for by the High Court in appeal, revision or reference should be despatched within seven days of requisition. If delayed, reply should explain cause and probable despatch date.	**Rule 157: Dispatch of records called for by High Court or superior Court.** (1) Records called for by the High Court in appeal, revision, reference, confirmation, death reference, bail, sentence suspension, retrial, further inquiry, execution, contempt, inspection or any other judicial proceeding shall be despatched within **seven days** from receipt of requisition, unless the requisition prescribes a shorter period. (2) In custody matters, death sentence matters, urgent bail/suspension matters, POCSO/sexual offence cases, SC/ST Act cases, NDPS cases, vulnerable/protected witness matters and time-bound proceedings, the record shall be treated as urgent. (3) If dispatch within seven days is not possible, a reply shall be sent before expiry of the period, stating: (a) cause of delay; (b) present location of record; (c) whether record is	Existing Rule 157, Part III, Chapter VI. BNSS Chapters on appeal, reference and revision require lower Court records to be called and examined by appellate/revisional/superior Courts; timely transmission is necessary for such proceedings. BNSS Section 530 permits appellate proceedings and other proceedings to be held in electronic mode, supporting authenticated digital transmission where permitted.

	complete; (d) status of exhibits/material objects/electronic records/sealed records; (e) probable date of dispatch; and (f) officer responsible for compliance. (4) Before dispatch, the record-keeper shall verify File A, File B, exhibits, material object list, sealed record, electronic evidence folder, custody/warrant papers and appellate/revisional papers. (5) Where the High Court permits or directs digital transmission, authenticated scanned/electronic record may be transmitted through High Court-approved secure mode. (6) Physical transmission shall be accompanied by a forwarding letter, index, volume list, sealed-record note, digital-record note and acknowledgment form. (7) A dispatch entry shall be made in the record movement register and digital audit log.	
Rule 157-A. Reminders relating to records sent to the High Court should be issued first on expiry of twelve months and thereafter at intervals of not less than six months and not more than twelve months.	**Rule 157-A: Reminders and tracking of records sent to High Court.** (1) Where records have been sent to the High Court, a reminder or status request shall ordinarily be issued on expiry of twelve months from dispatch, unless the record has been returned or the High Court has directed otherwise. (2) Thereafter reminders may be issued at intervals of not less than six months and not more than twelve months. (3) No reminder shall be sent in a manner that interferes with judicial proceedings; it shall be limited to record-tracking and administrative status. (4) The record movement register shall show: (a) date of	Existing Rule 157-A, Part III, Chapter VI. BNSS appellate/revisional proceedings and Section 530 electronic-mode framework support digital movement registers and tracking of records sent to superior Courts.

	requisition; (b) date of dispatch; (c) High Court case number, if known; (d) volumes/files sent; (e) sealed/electronic record status; (f) date of acknowledgment; (g) reminder dates; (h) return date; and (i) condition on return. (5) Where record is urgently required for another proceeding, the Court shall seek directions from the High Court rather than calling back the record unilaterally. (6) Where digital copy has been retained, its use shall be subject to authentication and High Court directions.	
Rule 158. Record Rooms are not open to public generally. Public officers of district, including Head Clerks, may inspect specified records with permission of Sessions Judge/District Magistrate for public purpose, in presence of Record-Keeper/assistant. Pleaders and Mukhtars authorised by any person may inspect specified records under similar conditions at a place	**Rule 158: Access to Record Rooms and inspection of consigned records.** (1) Record Rooms of Criminal Courts shall not be open to the public generally. (2) Public officers requiring inspection for official duty may be allowed to inspect a specified record with permission of the Sessions Judge/District Judge/Chief Judicial Magistrate or officer in charge of the Record Room, subject to supervision by the Record-Keeper or authorised assistant. (3) Advocates, authorised clerks, legal aid counsel, parties, accused, victims, complainants, informants or authorised representatives may inspect specified records only in accordance with inspection/copying rules and by permission of the competent Court/Record Room authority. (4) Inspection shall take place only at the notified inspection place or secure digital terminal and during prescribed hours. (5) Persons inspecting records may take brief notes, subject to Court directions, but shall not mark, alter, fold, tear,	Existing Rule 158, Part III, Chapter VI. Patna High Court e-Certified Copy Rules, 2026 recognise electronic applications for certified copies of documents and evidence in pending/disposed records and preserve restrictions on restricted documents. BNSS Section 530 supports electronic proceedings and related digital record-management practices.

provided in Record-Keeper's office, making only brief pencil notes; extracts must be obtained through Copying Department.	detach, photograph, scan, digitally copy, upload, transmit, or remove any paper, exhibit, seal or digital file. (6) Extracts, copies or certified/e-certified copies shall be obtained through the Copying Department or approved e-certified copy system. (7) Inspection of sealed, restricted, vulnerable witness, protected witness, child victim, sexual offence, medical, mental-health, private electronic, national-security or confidential official records shall be allowed only by specific Court order and subject to redaction, undertaking or controlled inspection. (8) Every inspection shall be entered in the inspection register/electronic audit log.	
Rule 159. Examination of records by Pleaders shall be allowed only on office days and during office hours prescribed by Sessions Judge or District Magistrate.	**Rule 159: Timing and supervision of inspection.** (1) Inspection of records by advocates, authorised clerks, parties, public officers or other authorised persons shall be allowed only on office days and during hours prescribed by the Sessions Judge/District Judge/Chief Judicial Magistrate or officer in charge of the Record Room. (2) Urgent inspection in custody, bail, appeal, revision, limitation, death sentence, release, compensation or time-bound matters may be permitted outside ordinary queue, subject to staff availability and Court order. (3) Digital inspection may be scheduled through approved online or Record Room workflow, where available. (4) Inspection of sealed/sensitive records shall be separately scheduled and supervised by authorised officer. (5)	Existing Rule 159, Part III, Chapter VI. Patna e-Certified Copy Rules, 2026 and BNSS Section 530 together support regulated digital access and urgent electronic workflows for records/copies.

	The inspection register shall record start time, end time and supervising officer.	
Rule 160. When a Criminal Court needs contents of public documents deposited in other Courts, ordinary procedure is to require copies. If original record is necessary in criminal trial, the Court where record is deposited shall comply even if reason is insufficient or no reason is given. If the record required is of appeal pending before Sessions Court or Chief Judicial Magistrate, that fact should be intimated and return requested without delay. Papers/records received from other	**Rule 160: Requisition of records from other Courts and preference for copies.** (1) Where, in any criminal proceeding, it becomes necessary to refer to contents of public documents or records deposited in another Court, the ordinary procedure shall be to require certified copies, authenticated extracts or e-certified copies to be filed. (2) Where production of original record is necessary for fair adjudication, proof, comparison, verification, charge, defence, appeal, revision, retrial, further inquiry or other judicial purpose, the Court may requisition the original record. (3) The Court receiving such requisition shall comply, even if the reason appears insufficient or is not stated, unless compliance is barred by law, superior Court order, or the record is unavailable due to pending superior Court proceeding. (4) If the record requisitioned is part of a pending appeal, revision, reference, trial, inquiry or urgent proceeding, the custodian Court shall intimate that fact and request return within a specified time or seek directions from the superior Court, where necessary. (5) Where original record contains sealed/sensitive/electronic material, the transmitting Court shall indicate the same and transmit in sealed cover/restricted electronic mode. (6) All papers and records received from other Courts/officers	Existing Rule 160 and Notes 1–2, Part III, Chapter VI. BSA recognises public documents/certified copies and electronic records; Section 63 governs admissibility of electronic records and supports authenticated electronic extracts where law permits. BNSS Section 530 permits electronic proceedings and supports electronic transmission/production where approved. Patna e-Certified Copy Rules, 2026 support electronic certified copies of records/documents/evidence, subject to restrictions for restricted documents.

officers/Courts shall be entered in Register (R) 14-A.	shall be entered in Register (R) 14-A or electronic equivalent, recording case number, CNR number, sending Court, date of receipt, purpose, volume details, sealed/electronic record status and date of return. (7) Records received from other Courts shall not be mixed with the receiving Court's record and shall be kept in safe custody until returned. (8) Where authenticated digital copy is sufficient, the Court may accept digital transmission subject to law and authentication.	
Rule 161. When Divisional Commissioner requires record of criminal trial to decide whether Government should move appeal against acquittal under Section 378 Cr.P.C. or enhancement of sentence under Sections 399/401 Cr.P.C., Sessions Judges should comply.	**Rule 161: Requisition by Government authority for considering appeal or sentence enhancement.** (1) Where the State Government, authorised Government officer or competent authority requires the record of a criminal case for considering whether to prefer an appeal against acquittal, appeal for enhancement of sentence, revision, or other lawful proceeding, the Sessions Judge/District Judge may allow access or transmission in accordance with law. (2) As far as practicable, certified copies, authenticated extracts, scanned copies or e-certified copies shall be supplied instead of original records. (3) Original record shall be transmitted only where necessary and upon written requisition specifying purpose, case details and urgency. (4) The requisition and transmission shall not disclose protected victim/witness identity beyond what is legally necessary. (5) Where limitation for filing appeal/revision is involved, the request shall be treated as urgent. (6)	Existing Rule 161, Part III, Chapter VI. BNSS appeal and revision provisions replace the corresponding Cr.P.C. provisions for appeals against acquittal, appellate remedies and revisional jurisdiction; official BNSS text is the principal source for updated references. Patna e-Certified Copy Rules, 2026 support use of e-certified copies of judgments/documents/evidence rather than physical movement of original records where sufficient.

	The movement of record shall be entered in the record movement register and acknowledgment shall be preserved. (7) The receiving authority shall return the original record immediately after use.	
Rule 162. When State Government appoints Commission of Inquiry into misconduct by a Police Officer because of strictures expressed by Court, Sessions Judge should forward original record of decided Sessions case to the Commission on requisition.	**Rule 162: Requisition by Commission of Inquiry or statutory authority.** (1) Where a Commission of Inquiry, statutory commission, disciplinary authority, judicial inquiry authority or Government authority lawfully requires records of a decided criminal case for inquiry into misconduct, public duty, police conduct or related matter, the Sessions Judge/District Judge may permit access, certified copy, authenticated extract, scanned copy or transmission of original record in accordance with law. (2) Original record shall ordinarily not be sent unless the Commission/statutory authority specifically requires the original and certified/electronic copies are insufficient. (3) Before transmission, the Court shall verify whether appeal, revision, retrial, further inquiry, sentence execution, compensation, property, sealed record or witness protection proceeding is pending. (4) Sensitive parts of record may be transmitted in sealed cover or redacted form, subject to lawful requirement of the Commission/statutory authority. (5) The transmission memo shall state the purpose, authority, record volumes, sealed/electronic material, material objects not transmitted and return	Existing Rule 162, Part III, Chapter VI. BNSS Section 530 supports electronic transmission and use of authenticated electronic records in proceedings where permitted. Patna e-Certified Copy Rules, 2026 allow e-certified copies of documents/evidence available in disposed case records, subject to restrictions.

	deadline. (6) Acknowledgment and return shall be monitored through record movement register.	
Rule 163. Sessions Judges should give facilities to Executive Magistrates and Gazetted Police Officers authorised by District Magistrate/Superintendent of Police for inspecting Sessions Court records, ensuring no record is removed from Judge's Record Room. Copies of judgment/order required by District Magistrate shall be prepared by Sessions Judge's Copying Establishment. Other copies required by District Magistrate may be prepared by a clerk of District Magistrate's office	**Rule 163: Access to Sessions Court records by Executive Magistrates, police officers and public officers.** (1) Sessions Judges may provide reasonable facility to Executive Magistrates, Gazetted Police Officers and other authorised public officers to inspect specified records of Sessions cases for lawful public purpose, subject to permission and supervision. (2) No original Sessions record shall be removed from the Sessions Judge's Record Room for such inspection. (3) Copies of judgments and orders required by District Magistrate, Superintendent of Police, Executive Magistrate or other authorised public officer shall ordinarily be prepared by the Copying Establishment or supplied through approved e-certified copy system. (4) Copies of papers other than judgments/orders may be prepared only with permission of the Sessions Judge/District Judge and under Record Room supervision, or supplied through Copying Department/e-certified copy process.	Existing Rule 163, Part III, Chapter VI. Patna High Court e-Certified Copy Rules, 2026 provide for e-certified copies of records/documents/evidence in pending and disposed cases and preserve restrictions on restricted documents, supporting a modern copy-based access mechanism. BNSS Section 530 supports electronic proceedings and digital record/copy workflows.

deputed to Judge's office; copies are only for information/guidance of Executive Magistrates. Similar procedure applies for free copies from Judicial Magistrate records and public officers referred to in Rule 188.	(5) Copies supplied for administrative information shall not be used to comment upon, question, or reopen the merits of judicial decisions, except through lawful appellate/revisional/statutory process. (6) In cases involving child victims, sexual offences, vulnerable/protected witnesses, witness protection, medical/mental-health records, sealed evidence or private electronic records, copies shall be redacted or withheld unless lawful necessity is shown. (7) Every inspection or copying by public officers shall be entered in the inspection/copy register, recording officer name, designation, authority, purpose, record inspected/copied and restrictions imposed. (8) The same principles shall apply, with necessary modifications, to records of Judicial Magistrates and other Criminal Courts.	
Rule 164. Instructions for transmitting records from one Court to another: same station by hand properly packed with peon book; different station by parcel post with service stamps;	**Rule 164: Mode of transmission of records from one Court to another.** (1) Records shall be transmitted from one Court to another only under written requisition, judicial order, administrative direction of competent judicial authority, or High Court-approved digital workflow.	Existing Rule 164, including clauses (a)–(e) and Notes, Part III, Chapter VI. BNSS Section 530 allows proceedings, including issuance/service/execution of process, recording evidence and appellate proceedings, through electronic communication or audio-

different case records may be packed together if separately tied; forwarding letter enclosed and parcel cover bears letter number/date; separate letter of advice sent; acknowledgment must be required and inquiry made if not received.	(2) If both Courts are situated at the same station, the record shall be despatched by hand through authorised Court staff, properly packed/sealed, with entry in peon book/record movement register/electronic movement log. (3) If the requisitioning Court is at a different station, records may be sent by registered post, insured post, special messenger, approved courier, secure government dispatch, judicial district dispatch system, or High Court-approved secure digital transmission, according to the nature and urgency of record. (4) Records of different cases may be packed in the same parcel only if separately tied, labelled, indexed and distinguishable. Sealed/sensitive records shall be separately packed within the parcel. (5) Every parcel shall contain a forwarding letter stating case number, CNR number, requisition reference, number of volumes, sealed covers, electronic media, exhibit/material-object status and expected return date.	video electronic means, supporting secure digital transmission where approved. BSA Section 63 requires identification and certification of electronic records, supporting hash/checksum and authenticated digital transmission practices.

	(6) The parcel cover shall bear the distinguishing number and date of the forwarding letter, without disclosing sensitive case details where confidentiality is required. (7) A separate letter of advice or electronic dispatch intimation shall be sent simultaneously, quoting forwarding letter number/date and dispatch mode. (8) Acknowledgment shall invariably be required from the receiving Court. If acknowledgment is not received within reasonable time, inquiry shall be made immediately. (9) Where records are transmitted digitally, the transmission shall preserve authentication, access control, audit trail, hash/checksum where applicable, and acknowledgment of receipt. (10) Bulky, hazardous, perishable, valuable, electronic, biological, narcotic, arms/explosive, currency, sealed or sensitive exhibits shall not be transmitted physically unless specifically required; certified inventory, photographs, forensic copy or authenticated extract may be transmitted where sufficient.	

Rule 164-A. No requisition under Order XIII Rule 10 CPC by a Court subordinate to any High Court other than Patna High Court for production of record in custody of a Court subordinate to Patna High Court should be complied with unless transmitted through Patna High Court and accompanied by copy of affidavit under that rule with certified English translation if not in Hindi. Same procedure applies when a Criminal Court subordinate to Patna High Court calls for record in custody of another High Court or subordinate Court.	**Rule 164-A: Inter-High Court and inter-State requisitions under Order XIII Rule 10 CPC or other lawful process.** (1) No requisition made under Order XIII Rule 10 CPC or corresponding lawful process by a Court subordinate to a High Court other than the High Court of Judicature at Patna, for production of a record appertaining to and in custody of a Court subordinate to the Patna High Court, shall be complied with unless the requisition is transmitted through the Patna High Court or as otherwise directed by the High Court. (2) Such requisition shall be accompanied by the affidavit required under Order XIII Rule 10 CPC or relevant provision, and by a duly certified translation into English or Hindi where necessary. (3) Where a Criminal Court subordinate to the Patna High Court calls for a record appertaining to and in custody of another High Court or a Court subordinate to another High Court, the requisition shall be routed through the Patna High Court or in the manner prescribed by the High Court concerned.	Existing Rule 164-A and Note, Part III, Chapter VI. Patna High Court e-Certified Copy Rules, 2026 support e-certified copies of records/documents/evidence where available, reducing need for inter-Court physical movement of originals. BNSS Section 530 supports electronic proceedings and digital transmission where authorised.

	(4) Where authenticated digital records or e-certified copies are sufficient, the Court may seek such records instead of original record, subject to directions of the concerned High Court. (5) No sealed/sensitive record shall be transmitted inter-State or inter-High Court without specific direction and safeguards regarding confidentiality, access, copying and return. (6) Every such requisition and transmission shall be entered in a separate inter-Court/inter-High Court requisition register.	
New Rule.	**Rule 164-B: Register of records received from other Courts or authorities.** (1) Every Criminal Court shall maintain Register (R) 14-A or electronic equivalent for papers and records received from other Courts/officers. (2) The register shall contain: (a) serial number; (b) date of receipt; (c) sending Court/authority; (d) case number and CNR number of sending Court; (e) case number and CNR number of receiving Court; (f) purpose of requisition; (g) number of volumes/files; (h) sealed/electronic/material-object status; (i) condition of record on receipt; (j) date fixed for return; (k) date of actual return; (l)	Existing Rule 160 Note 2 requires papers and records received from other officers or Courts to be entered in Register (R) 14-A maintained by all Criminal Courts. BNSS Section 530 supports electronic record registers and audit trails.

	acknowledgment of return; and (m) remarks regarding deficiency, damage or delay. (3) Records received from other Courts shall be kept separately and returned promptly after use. (4) The register shall be inspected periodically by the Presiding Officer or authorised officer.	
New Rule.	**Rule 164-C: Register of records removed or transmitted from Record Room.** (1) Every Record Room shall maintain a register or electronic movement log for all records removed, transmitted, inspected, digitally accessed or returned. (2) The register shall record: (a) case number and CNR number; (b) file/volume details; (c) requisitioning Court/authority; (d) date and mode of dispatch; (e) forwarding letter number; (f) sealed/electronic record details; (g) expected return date; (h) acknowledgment date; (i) reminder date; (j) actual return date; (k) condition on return; and (l) deficiency/damage remarks. (3) Overdue records shall be reviewed monthly. (4) Loss, damage, broken seal, missing page, corrupted digital file or unauthorised access shall be reported immediately to the Sessions Judge/District Judge/CJM.	Existing Rules 156, 157-A and 164 require custody control, reminders and acknowledgments. BNSS electronic-mode framework supports electronic movement logs and audit trails.

New Rule.	**Rule 164-D: Transmission of sealed, sensitive and vulnerable witness records.** (1) Records containing child victim identity, sexual offence victim identity, vulnerable witness record, protected witness identity, witness protection order, medical/mental-health record, private electronic material, in-camera deposition or sealed official material shall be transmitted only under sealed/restricted-access protocol. (2) The outer forwarding letter shall not disclose protected identity or sensitive content. (3) The sealed packet shall mention only case number, CNR number, sealed-cover number, authority and authorised recipient. (4) The receiving Court shall verify seal condition and record it immediately. (5) If seal is broken or packet is damaged, the matter shall be reported to the sending Court and superior judicial authority. (6) Digital sealed records shall be transmitted through secure, access-controlled, logged mode only. (7) Copying, inspection or further transmission shall require Court order.	Existing Chapter VI requires custody and supervised access, but does not separately address modern sealed/sensitive records. Patna e-Certified Copy Rules, 2026 preserve restrictions applicable to restricted documents in electronic copy framework. BNSS Section 530 supports electronic proceedings but requires secure handling where records are sensitive.
New Rule.	**Rule 164-E: Transmission and access to electronic records and digital evidence.** (1) Electronic records and digital evidence shall be transmitted only in authenticated and secure form. (2) The transmission memo shall include, where applicable: (a) exhibit number; (b) file name and format; (c) storage medium; (d) hash value/checksum; (e) BSA certificate details; (f) forensic image details; (g) password/seal	BNSS Section 530 supports electronic proceedings and transmission by electronic communication. BSA Section 63 requires electronic-record identification, production particulars and certificate; this supports hash/checksum,

	protocol; (h) access restrictions; and (i) return/deletion/migration direction. (3) Original electronic devices shall not be transmitted unless specifically required; forensic images, certified copies, transcripts or authenticated extracts may be transmitted where sufficient. (4) Where device/media is transmitted physically, it shall be sealed and accompanied by chain-of-custody memo. (5) Any hash mismatch, corruption, inability to open file or suspected tampering shall be reported immediately. (6) Digital access shall be role-based and logged.	certificate and source-device tracking during transmission.
New Rule.	**Rule 164-F: Return of requisitioned records and consequences of delay.** (1) The requisitioning Court or authority shall return the record immediately after the purpose of requisition is fulfilled, unless otherwise directed. (2) If the record cannot be returned within the expected period, the requisitioning Court/authority shall intimate reasons and probable return date. (3) The sending Court/Record Room shall issue reminder where the record is overdue. (4) Delay in return of records required for appeal, revision, custody, bail, release, compensation, property, execution or time-bound matter shall be treated as urgent. (5) Where delay persists, the matter shall be placed before the Sessions Judge/District Judge/CJM or High Court as appropriate. (6) On return, the Record-Keeper shall verify	Existing Rules 157-A and 164(e) require reminders/acknowledgment where records are sent. BNSS appeal/revision/execution framework requires availability and prompt return of original records for continuing proceedings.

	completeness, page sequence, seal condition, digital integrity and exhibit/material-object status.	
New Rule.	**Rule 164-G: Preference for certified copies, e-certified copies and authenticated extracts.** (1) Unless the original record is specifically required for judicial purpose, requisitioning Courts and authorities shall ordinarily seek certified copies, e-certified copies or authenticated extracts. (2) Original records shall be transmitted only where: (a) authenticity of original is in issue; (b) inspection of original is necessary; (c) comparison, forensic examination or verification cannot be done from copies; (d) superior Court directs production; or (e) law otherwise requires original production. (3) Where e-certified copy is supplied, the authentication mechanism and verification link/QR/digital signature details, if any, shall be preserved. (4) Restricted documents shall not be supplied as e-certified copies except in accordance with restrictions, Court order and redaction protocol.	Existing Rules 156 and 160 state that copies should ordinarily be obtained instead of sending original records. Patna High Court e-Certified Copy Rules, 2026 expressly provide a framework for e-certified copies of pending/disposed case records, including documents and evidence, with restrictions for restricted documents. BSA provisions on certified copies/electronic records support authenticated copies where legally sufficient.
New Rule.	**Rule 164-H: Access to records for public officers and limitation of use.** (1) Public officers may inspect or obtain copies of criminal records only for lawful public purpose, official duty, appeal/revision decision, disciplinary inquiry, statutory inquiry, compensation/restitution, public safety, or compliance with Court/Government function. (2) Such access shall not authorise administrative criticism, commentary upon merits,	Existing Rules 156, 158, 161, 162 and 163 regulate public officer access and emphasise copies/inspection rather than removal or merit commentary. Patna e-Certified Copy Rules, 2026 preserve restrictions on restricted documents.

	or interference with judicial decisions except through lawful proceedings. (3) Public officers shall not disclose or circulate records beyond the purpose authorised. (4) If the record contains protected identity, private data or sealed material, the Court may supply redacted copy or restrict access. (5) A confidentiality undertaking may be required.	
New Rule.	**Rule 164-I: Urgent and priority transmission categories.**(1) The following requisitions shall be treated as priority: (a) death sentence/reference; (b) custody appeal/revision; (c) bail or suspension of sentence; (d) release/warrant correction; (e) juvenile/child/vulnerable witness matter; (f) POCSO/sexual offence case; (g) SC/ST Act case; (h) NDPS case involving custody or seized property; (i) time-bound High Court/Supreme Court direction; (j) compensation/restitution matter; (k) property/attachment/confiscation matter; and (l) any matter marked urgent by Court. (2) In priority cases, physical or digital transmission shall be completed at the earliest and, where possible, within forty-eight hours or the period fixed by the requisitioning Court. (3) Reasons for delay shall be recorded and communicated immediately.	Existing Rule 157 fixes seven days for High Court requisitions but does not distinguish urgent categories. BNSS appeal, revision, bail, execution and electronic-mode provisions support urgent transmission in custody and time-bound cases.
New Rule.	**Rule 164-J: Reconstruction where transmitted record is lost, damaged or incomplete.** (1) If any record transmitted from one Court	Existing Chapter VI is concerned with safe custody and transmission but does

	to another is lost, damaged, incomplete, tampered, has missing pages, broken seal or corrupted digital file, the receiving Court shall immediately inform the sending Court and the superior judicial authority. (2) The sending Court shall initiate reconstruction from certified copies, e-certified copies, scanned copies, CIS/e-Courts entries, counsel copies, police/prosecution records, jail records, FSL records, certified depositions, digital repository or any other lawful source. (3) Parties may be heard where reconstruction affects merits, evidence, custody, appeal, revision, property or compensation. (4) A reconstruction memorandum shall record the source of every reconstructed paper. (5) The reconstructed record shall be clearly marked and transmitted with explanation.	not prescribe reconstruction mechanism. BNSS appellate/revisional/superior Court proceedings require reliable lower Court records; BSA electronic and certified-copy framework supports reconstruction through authenticated sources.
New Rule.	**Rule 164-K: Responsibility and accountability in record transmission.** (1) The Presiding Officer, Record-Keeper, transmitting branch and receiving branch shall be responsible for proper packing, dispatch, acknowledgment, safe custody, timely return and verification of records. (2) Defects such as delay, unauthorised transmission, missing papers, broken seals, unacknowledged dispatch, wrong record sent, failure to return record, digital corruption or unauthorised access shall be entered in the deficiency register. (3) The Sessions Judge/District Judge/CJM may call for explanation and issue	Existing Rules 156–164-A require custody, proper dispatch, acknowledgment and restricted access. BNSS Section 529 recognises the High Court's continuous superintendence over Courts, and Section 530 supports electronic record systems requiring audit and accountability.

	administrative directions. (4) Serious or repeated irregularities shall be reported to the High Court. (5) Annual inspection of Record Room shall include review of requisition, access and transmission registers.	
PART IV **INFORMATION AND COPIES** **CHAPTER I — PREPARATION AND ISSUE OF COPIES AND SUPPLY OF INFORMATION** **RULES 165 TO 174-M**		
Heading: PART IV — Information and Copies For searching fees and charges for copies, see Part V. **CHAPTER I — Preparation and issue of copies and supply of information**	**PART IV — Information, Certified Copies, E-Certified Copies and Supply of Information** For searching fees, copying charges, e-certified copy charges, scanning charges, expedition charges and other applicable fees, see Part V and the rules/circulars notified by the High Court from time to time. **CHAPTER I — Preparation and Issue of Certified Copies, E-Certified Copies and Supply of Information**	Patna High Court has notified the **E-Certified Copy Rules of the High Court of Judicature at Patna, 2026**, supporting a specific framework for electronic certified copies. BNSS Section 530 permits criminal trials, inquiries and proceedings, including recording of evidence and appellate proceedings, to be held in electronic mode.
Rule 165. In addition to this Chapter, relevant rules of Part IV, Chapter I of the	**Rule 165: Application of copy rules and copying establishment.** (1) In addition to the rules contained in this Chapter, the relevant rules relating to copies and information in the Civil Court Rules, High Court	Existing Rule 165 and Note. Patna High Court E-Certified Copy Rules, 2026 provide for electronic certified copy

Civil Court Rules, Volume I apply, as far as may be, to applications for copies and information in Criminal Courts. **Note:** Copying work of Sessions Judge's Court is done in the Copying Department of the District Judge.	Rules, e-Certified Copy Rules, circulars and practice directions shall apply, as far as may be, to applications for copies and information in Criminal Courts. (2) Copying work of the Sessions Judge's Court shall ordinarily be done in the Copying Department of the District Judge, unless otherwise directed by the High Court or District Judge. (3) Copying work may be carried out through physical copying, scanning, authenticated electronic copy, digitally signed copy, e-certified copy or any High Court-approved electronic system. (4) In case of inconsistency between an older copying practice and a later statutory provision, High Court rule, e-certified copy rule, vulnerable witness guideline, or special-law confidentiality requirement, the later binding provision shall prevail. (5) The Copying Department shall maintain physical and electronic registers for copy applications, e-copy requests, urgent applications, restricted records, certified copies, rejected applications and delivery status. (6) Copying staff shall be trained and instructed not to disclose protected identity, sealed material, private electronic data, medical records or restricted documents except under lawful authority.	workflow. Section 530 BNSS supports electronic records and proceedings. BSA Section 63 recognises electronic records and provides certificate requirements for admissibility of electronic records.
Rule 166. Any person may apply for information from	**Rule 166: Application for information from Court records and registers.** (1) Any person may apply for information from the records and registers of any Criminal Court, subject to these Rules, copy rules,	Existing Rule 166. Patna E-Certified Copy Rules, 2026 recognise electronic access for certified copy applications,

the records and registers of any Court.	confidentiality restrictions, special statutes and orders of the Court. (2) Information may be supplied only to the extent it is lawfully available from the record or register and does not require interpretation, legal opinion, confidential disclosure or extraction of protected material. (3) Information shall not be supplied where disclosure would reveal: (a) identity of a child victim or sexual offence victim; (b) vulnerable witness or protected witness identity; (c) safe address, relocation details or witness protection information; (d) sealed record contents; (e) medical, mental-health or disability records; (f) private electronic data, photographs, audio-video material or credentials; (g) national-security or confidential official material; or (h) any information restricted by Court order or law. (4) Information may be supplied in writing, digitally, through certified extract, copy, e-certified copy, case status system or approved information counter, as applicable. (5) Where the applicant seeks a copy or extract rather than short information, the applicant shall be directed to apply for a certified copy/e-certified copy.	while official rules page also lists restricted-document treatment in the e-certified copy framework. BNSS Section 530 supports electronic mode of proceedings and related record handling.
Rule 167. Information may be asked for in one application in respect of one matter from a single record or register and shall	**Rule 167: Form and scope of application for information.** (1) One application for information shall ordinarily relate to one matter from a single record or register and shall be limited to one question. (2) Questions seeking particulars required for filing an application for certified copy/e-certified copy of a document shall be treated as a single	Existing Rule 167. Patna E-Certified Copy Rules, 2026 support use of e-certified copy where the applicant requires copy/extract rather than short information.

be limited to a single question. Questions about particulars to be inserted in copy application for any document will be treated as one question. Information requiring anything but short answers shall not be given. If extract from record is desired, proper course is to apply for copy.	question. (3) Information shall be confined to short factual answers ascertainable from the record or register, such as case number, date of order, name of Court, stage, next date, exhibit number, copy application number, or whether a record has been consigned. (4) Information requiring legal opinion, analysis of evidence, reasons for judgment, construction of orders, extracts from record, copying of text, or explanation of proceedings shall not be supplied as "information"; the applicant shall be asked to apply for certified copy/e-certified copy. (5) No information shall be supplied from sealed, restricted, identity-protected or confidential records without specific Court order. (6) If the applicant asks multiple questions or seeks information from multiple records, separate applications and fees shall be required unless the Court permits otherwise. (7) Information may be supplied physically or through High Court-approved electronic information system, subject to authentication and confidentiality safeguards.	
Rule 168. In criminal cases, parties are entitled to obtain copies of any portion of the record of trial; this covers police papers made use of as	**Rule 168: Copies to parties in criminal cases.** (1) In criminal cases, parties are entitled to obtain certified copies/e-certified copies of any lawful portion of the record of trial, subject to BNSS, BSA, special statutes, copy rules, confidentiality restrictions and orders of the Court. (2) This entitlement includes police papers, reports, statements, documents or other materials which are made use of as evidence at the	Existing Rule 168 and its provisos/Note. BNSS Section 530 supports electronic recording and electronic proceedings, making e-copy handling of depositions and electronic records necessary. BSA Section 63 treats qualifying electronic

evidence at trial. If doubt arises whether copy of a particular paper from pending case should be granted, specific order of Presiding Officer shall be obtained before sending paper to Copying Department. For copies of depositions in a criminal case being heard, Civil Court Rule 369 procedure applies. **Note:** Police reports on which proceedings are instituted under Chapters VIII, XB, XC and XD form part of record of trial.	trial or are otherwise part of the judicial record. (3) Where doubt arises whether copy of any paper from a pending case should be granted, the matter shall be placed before the Presiding Officer at the earliest before the paper is sent to the Copying Department or released electronically. (4) Copies of depositions in a criminal case under hearing shall be supplied in accordance with applicable copy rules and directions of the Court, ensuring that the supply does not prejudice the trial, witness safety, protected identity or statutory confidentiality. (5) Copies of electronic records, audio-video depositions, digital exhibits, CCTV footage, forensic extractions, call records, transcripts or electronic certificates may be supplied only in the mode directed by the Court or permitted under High Court-approved e-certified copy process. (6) In cases involving children, sexual offences, POCSO, vulnerable witnesses, protected witnesses, medical/mental-health records, private electronic data or sealed records, copies shall be redacted, masked, restricted, counsel-only, or refused as required by law or Court order. (7) Where the accused is in custody or unrepresented, copy supply for appeal/revision/higher remedy shall be coordinated with jail authority and Legal Services Authority where required. (8) Police reports or preventive/security proceeding reports that form part of the record may be copied subject to confidentiality and public-order restrictions.	outputs as documents and prescribes certificate requirements, relevant when copies of electronic records are sought. Patna E-Certified Copy Rules, 2026 provide a current framework for e-certified copies.

Rule 169. As a general rule, copies of exhibits in a criminal case should not be granted to strangers. Magistrate should use discretion in each case and no copy should be given to a stranger without good cause.	**Rule 169: Copies of exhibits to strangers and third parties.** (1) As a general rule, copies of exhibits in a criminal case shall not be granted to persons who are strangers to the case. (2) A stranger or third party seeking copy of an exhibit must show good cause, lawful interest or public purpose, and the application shall be placed before the Presiding Officer where necessary. (3) The Court shall consider: (a) nature of exhibit; (b) status of proceeding; (c) rights of accused, victim and witness; (d) privacy and safety concerns; (e) possibility of misuse; (f) whether redacted copy is sufficient; (g) whether the exhibit is already a public document; and (h) any special-law restriction. (4) Copies of sensitive exhibits shall ordinarily not be granted to strangers, including exhibits containing child victim identity, sexual offence material, vulnerable/protected witness material, medical records, private photographs/audio/video, bank credentials, personal electronic data, sealed reports, or national-security material. (5) If copy is granted, the Court may impose conditions regarding redaction, non-publication, undertaking, limited use and prohibition on further circulation. (6) Digital/electronic exhibits shall not be copied to personal devices or supplied digitally unless the Court specifically permits secure mode of delivery.	Existing Rule 169. Patna E-Certified Copy Rules, 2026 expressly operate in the context of certified copies but preserve restrictions for restricted documents. BSA Section 63 is relevant because copies of electronic exhibits must preserve certificate/authentication requirements.

Rule 170. Copies of printed and lithographed maps and plans will not ordinarily be supplied by Copying Department. Application should be made to office where original maps are deposited.	**Rule 170: Copies of maps, plans, site plans, digital maps and technical drawings.** (1) Copies of printed, lithographed, large-format, technical or official maps and plans shall not ordinarily be supplied by the Copying Department where the proper custodian is another office or authority. (2) The applicant may be directed to apply to the office where the original map/plan is deposited, unless the Court directs supply of certified copy/extract from the judicial record. (3) Where maps, site plans, digital maps, GIS images, satellite images, building plans, sketch maps, route maps, crime-scene plans or technical drawings form part of the judicial record, copy may be supplied subject to feasibility, scale, certification, security restrictions and payment of prescribed charges. (4) Where large-format copying is not available, the Copying Department may supply certified photograph, scanned image, reduced copy, digital copy or certified extract, if permitted by the Court and technically feasible. (5) Copies shall not be supplied where the map/plan concerns protected witness safe location, child victim residence, sexual offence scene requiring privacy, prison/security installation, national security, sealed property or restricted official material, unless the Court directs otherwise.	Existing Rule 170. BNSS Section 530 and e-certified copy framework support digital/scanned copies where feasible and permitted.
Rule 171. Copies of papers from record called	**Rule 171: Copies from records called for from another Court or office.** (1) Copies of papers from a record called for from another Court	Existing Rule 171. Patna E-Certified Copy Rules, 2026 support electronic

for from another Court or office not subordinate to Court to which Copying Department is attached shall not be given unless application for copy is made through the Court/office which sent the record or paper and that Court/office forwards application for compliance.	or office not subordinate to the Court to which the Copying Department is attached shall not be supplied directly unless permitted by the sending Court/office or by competent judicial order. (2) The applicant shall ordinarily apply through the Court or office which sent the record or paper, and such Court/office may forward the application for compliance. (3) Where the requisitioning Court is using the record for a pending judicial proceeding, copy supply shall not delay or prejudice that proceeding. (4) If the record belongs to another High Court, another State, another department, public office or special authority, the copying rules/restrictions of the custodian authority shall be respected. (5) Where the sending Court/office authorises copy supply, the Copying Department shall record the authority, date and scope of permission. (6) Sealed/sensitive/restricted records shall not be copied without specific order of the custodian Court/competent Court. (7) E-certified copies or scanned extracts may be supplied only where the custodian Court/office permits and authentication is possible.	certified copy processes, but restricted/custodian limitations remain relevant.
Rule 172. Deleted.	**Rule 172: Register and scrutiny of copy applications.** (1) Every Copying Department shall maintain a physical or electronic register of copy applications. (2) The register shall include: (a) application number; (b) date and time of filing; (c) applicant name and status; (d) case number and CNR number; (e) document sought; (f)	Patna E-Certified Copy Rules, 2026 support a structured electronic certified copy workflow and status tracking.

	ordinary/urgent/e-certified copy status; (g) fee/deficit fee status; (h) whether pending/disposed record; (i) whether restricted/sealed/sensitive; (j) date sent for Presiding Officer's order, if required; (k) date copy prepared; (l) date delivered/rejected; and (m) remarks. (3) Applications relating to custody, bail, limitation, appeal, revision, release, death sentence, compensation, property or urgent High Court/Supreme Court filing shall be flagged as urgent where permitted. (4) Applications involving sealed/sensitive records shall not be processed mechanically and shall be placed before the competent authority. (5) Digital/e-certified copy applications shall be tracked through the High Court-approved platform, where available.	
Rule 173. At Sadr copies of English documents shall be type-written.	**Rule 173: Mode of preparing copies of English and other documents.**(1) Copies of English documents may be typed, photocopied, scanned, digitally reproduced or generated as e-certified copies according to facility available and High Court directions. (2) Copies of Hindi or other language documents may similarly be prepared by typing, photocopying, scanning, digital reproduction or other approved process. (3) Where the original is handwritten, faint, damaged, old, torn, oversized, sealed, or difficult to reproduce, the Copying Department may prepare typed copy, certified transcript, scanned copy, photograph or combined copy as directed. (4) Where	Existing Rule 173. Patna E-Certified Copy Rules, 2026 provide a modern electronic certified copy framework. BSA Section 63 recognises electronic outputs as documents subject to statutory conditions.

	translation is required, the copy shall indicate whether it is a copy of original document, translated copy, certified translation or typed transcript. (5) Electronic copies shall carry digital authentication, QR verification, digital signature, watermark or other approved certification, as applicable. (6) Copying staff shall ensure that no alteration, correction, interpolation or improvement is made in the copied text except authorised certification notes such as "illegible", "torn", "blank", "seal", or "signature appears".	
Rule 174. Ordinarily a copy shall be furnished not later than 1 P.M. or 8 A.M., as the case may be, on the fifth open day after application. If deficit stamps/folios are notified, copies shall ordinarily be furnished on next open day after filing deficit stamps/folios if prescribed time has expired.	**Rule 174: Time for preparation and delivery of copies.** (1) In ordinary circumstances, certified copies shall be furnished not later than the fifth open day after the application, subject to availability of record, payment of fees, compliance with objections and absence of legal restriction. (2) Where deficit fee, stamp, folio, copying charge, scanning charge or other requirement is notified, copy shall ordinarily be furnished on the next open day after compliance, if the original prescribed period has already expired. (3) Urgent copies, custody-related copies, bail/release copies, limitation copies, appeal/revision copies, death sentence copies, jail appeal copies and copies required for legal aid shall be processed on priority according to rules and Court directions. (4) If delay occurs because record is in Record Room, appellate Court, revision Court, copying section, digitisation unit,	Existing Rule 174 and its proviso. Patna E-Certified Copy Rules, 2026 support delivery of e-certified copies through an electronic process.

	malkhana, sealed custody or under transmission, the applicant shall be informed of the cause and likely date of delivery. (5) E-certified copies may be delivered through the approved portal, e-mail, downloadable link or other authorised electronic mode, subject to verification and fee payment. (6) Where copy cannot be supplied due to restriction, sealed record, pending Presiding Officer order, illegible record, missing record, or third-party/custodian permission issue, the application shall be placed before the competent authority and reason noted. (7) Delivery status shall be updated in the copy register/e-copy portal.	
New Rule.	**Rule 174-A: E-certified copies and digitally authenticated copies.** (1) E-certified copies may be applied for, prepared, authenticated, delivered and verified in accordance with the E-Certified Copy Rules of the High Court of Judicature at Patna and High Court-approved electronic systems. (2) An e-certified copy may bear digital signature, QR code, unique copy number, verification link, watermark, timestamp, hash or other authentication method approved by the High Court. (3) E-certified copies may be issued for orders, judgments, petitions, depositions, documents, exhibits, applications and other records where permitted and technically available. (4) Restricted documents shall not be issued as e-certified copies except in accordance with law, Court order and applicable restriction. (5) The electronic copy	Patna High Court E-Certified Copy Rules, 2026. BNSS Section 530 permits electronic mode for proceedings. BSA Section 63 recognises electronic records as documents when statutory requirements are satisfied.

	register shall record application, fee, authentication, delivery and verification details. (6) A digitally authenticated e-certified copy shall not be refused merely because it is electronic, if it is issued under the applicable rules and verifiable through approved mechanism.	
New Rule.	**Rule 174-B: Restricted documents and redaction before supply of copies.** (1) Before supplying any certified copy/e-certified copy, the Copying Department shall verify whether the document is restricted, sealed, sensitive or identity-protected. (2) Restricted documents include, but are not limited to: (a) child victim identity records; (b) sexual offence victim identity records; (c) vulnerable witness/protected witness records; (d) witness protection orders and safe addresses; (e) in-camera depositions; (f) medical, mental-health and disability records; (g) private photographs/audio/video/electronic data; (h) sealed confessions/statements; (i) national-security/confidential official material; and (j) any document restricted by Court order or law. (3) Copies of restricted documents shall be supplied only on Court order or as permitted by law. (4) Where possible and lawful, redacted copies may be supplied after masking protected identity and sensitive particulars. (5) The fact of redaction shall be noted without altering the original judicial record. (6) Copying staff shall not disclose restricted contents during processing.	Patna E-Certified Copy Rules, 2026 preserve restrictions for restricted documents. Existing Rule 168 already requires Presiding Officer's order where doubt arises in a pending criminal case; existing Rule 169 restricts copies of exhibits to strangers.

New Rule.	**Rule 174-C: Copies of electronic records, audio-video records and digital exhibits.** (1) Copies of electronic records, audio-video recordings, CCTV footage, digital photographs, mobile extractions, forensic images, emails, call detail records, server logs, electronic statements, video-conference depositions or other digital exhibits shall be supplied only in the manner directed by Court or permitted by High Court-approved rules. (2) The copy shall, where applicable, be accompanied by or linked to: (a) exhibit number; (b) file name and format; (c) hash value/checksum; (d) storage medium; (e) BSA certificate details; (f) transcript/translation status; (g) redaction status; and (h) viewing/copying restriction. (3) Where full digital copy may compromise privacy, safety, cyber-security or fair trial, the Court may permit supervised viewing, transcript, screenshots, still images, redacted copy or counsel-only access. (4) No copy of child sexual material, private sexual image, protected witness video, in-camera deposition or other prohibited/sensitive digital material shall be supplied except under express legal authority and safeguards. (5) Every digital copy supplied shall be logged.	BNSS Section 530 permits recording evidence and proceedings through electronic/audio-video means. BSA Section 63 lays down admissibility and certificate framework for electronic records. Patna E-Certified Copy Rules, 2026 support e-certified copies but preserve restricted-document safeguards. (Patna High Court)
New Rule.	**Rule 174-D: Copies to accused, prisoner and legal aid counsel.** (1) Applications for copies by accused persons, prisoners, convicts, legal aid counsel or jail authorities for appeal, revision, bail, suspension of	Existing Rule 168 recognises entitlement of parties to copies of trial record. BNSS appeal and custody framework requires

	sentence, mercy petition, remission, parole, release or higher remedy shall be treated with priority. (2) Where the applicant is in jail, the copy application may be received through jail authority or Legal Services Authority in the manner prescribed. (3) Copying Department shall record whether copies are required for limitation-bound remedy. (4) Where free copy is required by law or Court direction, the copy shall be supplied without insisting on ordinary copying charges. (5) Legal aid intimation/coversheet, if required by High Court circular, shall be supplied along with adverse/final order copy and recorded. (6) Restricted documents shall still be subject to Court order/redaction safeguards.	access to copies for legal remedies, and Section 530 supports electronic workflows.
New Rule.	**Rule 174-E: Copies to victims, complainants and informants.** (1) Victims, complainants and informants may apply for copies of records to the extent permitted by law, including for appeal, revision, compensation, protest, monitoring of case, or participation in proceedings. (2) Copies shall be supplied subject to privacy, fair trial, witness protection, sealed record and special-law restrictions. (3) Where victim identity is protected, copies shall be issued in redacted form or under restricted conditions. (4) Where copies are required for victim compensation or restitution, the application shall be processed on priority. (5) Copies of accused's private sensitive material, defence	BNSS contains victim-related provisions including victim appeal, compensation and witness protection; copy access may be necessary for such remedies. Existing Rules 168–169 regulate parties' copies and restrict exhibit copies to strangers.

	documents or sealed material shall not be supplied to victim/complainant unless legally permissible and ordered by Court.	
New Rule.	**Rule 174-F: Rejection, objection and review of copy applications.** (1) Where copy cannot be supplied, the Copying Department shall note the reason and place the matter before the competent authority where required. (2) Grounds for refusal or restriction may include sealed record, protected identity, pending Presiding Officer order, lack of applicant entitlement, third-party/custodian restriction, non-availability of record, illegible/damaged record, unpaid fee, or legal prohibition. (3) The applicant shall be informed of the reason for rejection/defect and the remedy or steps required, where applicable. (4) Defects such as wrong case number, insufficient particulars, unpaid fee or deficit folio/stamp may be notified for removal within prescribed time. (5) Rejected applications and orders thereon shall be entered in the copy register/e-copy portal.	Existing Rule 168 requires Presiding Officer's order where doubt arises about grant of copy in a pending case, and Rule 174 refers to deficit stamps/folios.
New Rule.	**Rule 174-G: Certification of copies.** (1) Every certified copy shall bear certification that it is a true copy of the original record or of the electronically maintained record, as applicable. (2) Certification shall include case number, CNR number, document description, number of pages, date of application, date of preparation, date of delivery, copying	Patna E-Certified Copy Rules, 2026 provide for electronic certification framework. BSA provisions recognise certified copies and electronic records;

	fee, seal/signature or digital authentication. (3) If any portion is illegible, torn, blank, sealed, redacted, missing or not copied by order, the fact shall be endorsed. (4) Where copy is generated from electronic record, the certification may include digital signature, QR code, unique identification number, verification URL or other approved authentication. (5) No uncertified photocopy, scan or printout from Court record shall be treated as certified copy unless certified according to rules.	Section 63 supports electronic record authentication.
New Rule.	**Rule 174-H: Copying of pending records.** (1) Before supplying copy from a pending criminal case, the Copying Department shall verify whether supply may affect ongoing trial, witness safety, investigation, sealed record, privilege, or statutory restriction. (2) Where doubt exists, the application shall be placed before the Presiding Officer. (3) Copies of documents relied upon by parties and forming part of judicial record may ordinarily be supplied to entitled persons, subject to redaction and restrictions. (4) Copies of materials not yet relied upon, not admitted, sealed, produced for inspection only, or called from another Court/office shall be supplied only according to Court order and applicable custodian restrictions. (5) The order permitting/refusing copy from pending record shall be noted in the copy register.	Existing Rule 168 specifically provides that where doubt arises in a pending case, specific order of Presiding Officer shall be obtained before sending the paper to Copying Department.

New Rule.	**Rule 174-I: Copying of records called from another Court or authority.** (1) Where the record has been called from another Court or authority, no copy shall be supplied unless the custodian Court/authority has authorised supply or the application is routed through that Court/authority. (2) If copy is urgently required for the proceeding before the requisitioning Court, the requisitioning Court may seek permission from the custodian Court/authority. (3) Where electronic access is provided for limited judicial purpose, copying/download shall not be permitted unless expressly authorised. (4) The copy shall bear note that it is prepared from a record called from another Court/office, if necessary.	Existing Rule 171.
New Rule.	**Rule 174-J: Copying of maps, plans, photographs and large-format records.** (1) Copies of maps, plans, photographs, site plans, sketches, charts, large registers, technical drawings or oversized records may be supplied as certified photocopy, scanned copy, photograph, reduced copy, digital image or certified extract, subject to feasibility. (2) The copy shall state whether it is full-size, reduced-size, partial, black-and-white, colour, scanned or photographic copy. (3) Where scale is material, the copy shall not be certified as scale-accurate unless verified by competent staff or authority. (4) Sensitive locations or identity-revealing details may be redacted by Court order.	Existing Rule 170.

New Rule.	**Rule 174-K: Copy register, digital dashboard and delay monitoring.**(1) The Copying Department shall maintain a copy register and, where available, digital dashboard showing pendency, ordinary copies, urgent copies, e-certified copies, restricted applications, defects, delivery and delay. (2) Pending applications beyond prescribed time shall be reviewed periodically by the officer in charge. (3) Delay caused by non-availability of record, pending Presiding Officer order, deficit fee, sealed record scrutiny, digitisation, or technical failure shall be separately recorded. (4) Monthly statements may be placed before the District Judge/Sessions Judge/CJM as directed.	Existing Rule 174 fixes timeline for ordinary copy delivery. Patna High Court provides copy-status search infrastructure, supporting digital status tracking.
New Rule.	**Rule 174-L: Confidentiality and responsibility of copying staff.** (1) Copying staff shall maintain confidentiality of all records handled by them. (2) No staff member shall disclose, photograph, scan, share, upload, message, print, copy or transmit any document except as authorised by rules or Court order. (3) Unauthorised disclosure of sealed, restricted, victim/witness identity, medical, mental-health, private electronic or confidential official material shall be reported to the officer in charge and Presiding Officer. (4) Copying staff shall use only official devices, scanners, printers, systems and e-copy platforms for copying work. (5) Breach of confidentiality may invite departmental action, contempt or prosecution as applicable.	Existing Rules 168–169 already recognise restrictions on copies from pending records and copies of exhibits to strangers. Patna E-Certified Copy Rules, 2026 preserve restricted-document safeguards.

New Rule.	**Rule 174-M: Preservation of copy applications and copy records.** (1) Copy applications, fee receipts, deficit notices, rejection orders, delivery acknowledgments, e-copy logs, digital authentication logs and restricted-copy orders shall be preserved according to record-retention rules or High Court directions. (2) Copy records relating to death sentence, custody, bail, appeal, revision, POCSO/sexual offence, SC/ST Act, vulnerable witness, protected witness, compensation, property, sealed record or electronic evidence shall be separately flagged. (3) E-copy audit logs shall be preserved securely and shall show user, date/time, document copied, authentication details and delivery mode.	Existing Rules 165–174 regulate copying but do not provide modern retention of copy-application metadata. Patna E-Certified Copy Rules, 2026 and BNSS Section 530 support electronic copy logs and audit trails.

PART IV

INFORMATION AND COPIES

CHAPTER II — COPYISTS

RULES 175 TO 176-D

This part aligns with supply of information from criminal records/registers; short-answer information vs. certified copy/extract; entitlement of parties to copies; Presiding Officer scrutiny in pending cases; copies of depositions and police papers used as evidence; restrictions on strangers seeking exhibits; maps, plans and large-format documents; records called from other Courts/offices; e-certified copies and digitally authenticated copies; restricted documents and redaction; electronic records, audio-video records and digital exhibits; copies to accused/prisoners/legal aid counsel; copies to victims/complainants/informants; copy application scrutiny and rejection; copy delivery timelines and delay monitoring; copy registers and digital dashboards; duties of copyists, typists, examiners and digital copying staff; confidentiality, official-device use, audit logs and disciplinary consequences.

Rule 175. Seventeen and a half paise out of 35 paise per folio represents Government payment for examiner salary and paper cost; remaining 17½ paise represents earning of copyist/typist, calculated monthly. Upper part of stamps is torn off, endorsed with copyist/typist name and kept till month-end. For maps/plans, half copying charges go to copyists and half to Government. Copyist/typist is paid by folios copied whether copies are taken out or not. Expedition fees are credited to Government	**Rule 175: Copying charges, accounting and remuneration of copyists/typists.** (1) Copying charges, Government share, copyist/typist remuneration, examiner charges, expedition fees, scanning charges, digital copy charges and e-certified copy charges shall be governed by Part V, Court Fees law, High Court rules, e-certified copy rules, Government notification and administrative directions in force. (2) The obsolete paise-based distribution shall be replaced by the rate structure notified from time to time. (3) Accounts of copying charges shall be maintained physically or electronically and shall show application number, pages/folios, ordinary/urgent/e-copy status, fees collected, deficit fee, refund if any, Government credit, copyist/typist/scanning remuneration where applicable, and delivery status. (4) Where physical stamps are used, accounting shall follow stamp-account rules. Where electronic payment is used, receipt, transaction ID, reconciliation and audit record shall be maintained. (5) Copyists/typists/scanning operators shall be paid according to rules or contractual/service terms applicable to them, irrespective of whether the prepared copy is actually taken out, where so provided by rules. (6) Expedition/urgent fee, where charged, shall be credited as directed by rules and shall not be paid to copyists/typists unless specifically authorised. (7) In maps, plans, large-format copies, digital media copies	Existing Rule 175 and Notes 1–2. Patna E-Certified Copy Rules, 2026 provide a modern electronic certified copy mechanism, requiring electronic fee/accounting treatment alongside older folio/stamp practices.

and not payable to copyists/typists.	or special format copies, fee distribution shall be as prescribed by the High Court/Government. (8) Monthly statements shall be checked by the officer in charge of the Copying Department.	
Rule 176. Deleted.	**Rule 176: Duties of copyists, typists, examiners and digital copying staff.**(1) Copyists, typists, examiners, scanning operators, digital copy operators and e-copy staff shall prepare copies accurately, legibly and without alteration, omission, interpolation or unauthorised correction. (2) Every copy shall be compared with the original or authenticated electronic record before certification. (3) If any portion of the record is illegible, torn, blank, sealed, missing, overwritten, redacted or not copied by order, the same shall be clearly noted. (4) Staff shall not improve language, spelling, grammar, formatting or numbering of the original except as required by prescribed copy format. (5) Staff shall maintain confidentiality of records and shall use only official copying/scanning/digital systems. (6) Where digital copy is prepared, the staff shall ensure that the file is linked with correct case number, CNR number, document, copy application and authentication details. (7) Any suspected tampering, missing page, wrong record, seal issue or technical defect shall be reported immediately to the officer in charge.	BNSS Section 530 and Patna E-Certified Copy Rules, 2026 justify introducing duties for digital copying staff and authenticated electronic copies.
New Rule.	**Rule 176-A: Examination and comparison of copies.** (1) Every certified copy/e-certified copy shall be examined and compared with	Existing Rule 175 refers to examiner salary/cost component, indicating the

	the original judicial record or authenticated electronic record before issue. (2) The examiner shall verify page count, case number, CNR number, order date, exhibit number, stamps/fees, seals, signatures, redactions, annexures and certification. (3) Where copy is prepared from electronic record, the examiner shall verify file authenticity, access permission, redaction status and digital certification. (4) Errors discovered before delivery shall be corrected and re-certified. (5) Errors discovered after delivery shall be reported to officer in charge and corrected copy may be issued according to rules.	traditional role of examiners in copy preparation. Patna E-Certified Copy Rules, 2026 require reliable electronic certification workflow.
New Rule.	**Rule 176-B: Digital copying infrastructure and use of official devices.** (1) Copying, scanning, e-certification and digital delivery shall be done only through official devices, scanners, software, printers, storage systems and High Court-approved platforms. (2) Personal mobile phones, personal email accounts, private cloud storage, private messaging applications or unauthorised devices shall not be used for copying or transmitting Court records. (3) Digital copies shall be stored only for the period necessary under rules and shall be protected against unauthorised access, deletion, alteration or sharing. (4) Technical logs and access logs shall be maintained where system permits. (5) Technical failure affecting copy preparation shall be recorded and reported.	BNSS Section 530 supports electronic proceedings and electronic communication in criminal process. Patna E-Certified Copy Rules, 2026 support High Court-approved e-certified copy infrastructure.

New Rule.	**Rule 176-C: Training and supervision of Copying Department.** (1) Copying Department staff shall be trained on physical copying, e-certified copies, redaction, restricted documents, electronic records, sensitive criminal records, BSA electronic evidence certificates, and confidentiality obligations. (2) The officer in charge shall periodically inspect copy registers, pending applications, urgent copies, rejected applications, fee accounts, e-copy logs and restricted-copy compliance. (3) Defects, delay, unauthorised copying, wrong delivery or confidentiality breach shall be reported and corrective action taken. (4) Monthly or quarterly copy pendency statements may be submitted to District Judge/Sessions Judge/CJM as directed.	Existing Chapter II regulates copyists, typists, payments and expedition fees, but modern copying requires supervision of digital and restricted-copy workflows. BSA Section 63 makes electronic-record handling legally significant.
New Rule.	**Rule 176-D: Misuse, unauthorised disclosure and disciplinary consequences.** (1) Any unauthorised copying, photographing, scanning, downloading, uploading, messaging, printing, forwarding or disclosure of Court record by copying staff or any person accessing the Copying Department is prohibited. (2) Special care shall be taken regarding POCSO, sexual offences, vulnerable/protected witnesses, sealed records, medical records, mental-health records, private electronic material, witness protection material and confidential official records. (3) Any breach shall be reported immediately to the officer in charge, Presiding Officer and District Judge/Sessions Judge/CJM, as	Existing Rules 168–169 restrict copy grant in pending matters and to strangers; modern digital copying makes confidentiality enforcement necessary. Patna E-Certified Copy Rules, 2026 preserve restricted-document safeguards.

	applicable. (4) Breach may invite departmental action, contempt, prosecution, cancellation of copy privilege or other lawful action. (5) The Copying Department shall maintain an incident register for serious copying irregularities.	