

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.1198 of 2019**

Arising Out of PS. Case No.-12 Year-2017 Thana- MAHILA P.S. District- Bhabhua (Kaimur)

Kalender Ram @ Kalender Kumar, son of Chandrashekhar Ram @ Chillar  
Ram, resident of village Mahua, P.S-Ramgarh, Distt.-Kaimur(Bhabua)

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr.Krishna Mohan Ray  
For the Opposite Party/s : Mr.Ashok Kumar Singh 1

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

2      31-01-2019              Learned counsel for the petitioner is permitted to  
make necessary correction in paragraph-18 of the petition in the  
course of the day.

Earlier prayer for bail of the petitioner was rejected by  
this Court twice vide order dated 13.4.2017 passed in  
Cr.Misc.No. 17167 of 2017 and vide order dated 24.1.2018  
passed in Cr.Misc.No. 2894 of 2018.

It appears that the victim has not named this petitioner  
earlier but in Test Identification Parade she has identified the  
petitioner, who has committed rape upon her.

Submission of learned counsel for the petitioner is  
that he is in custody for about two years and trial has not  
commenced as yet.

Heard learned APP also.



Having heard both sides and in the facts and circumstance, I am not inclined to grant bail to the petitioner.

However, since petitioner is in custody for two years, learned trial court is directed to expedite the trial by conducting it on regular basis so that the trial may be concluded as soon as possible and at the same time, Superintendent of Police, Kaimur is directed to ensure the presence of the witnesses in court on the date fixed so that the trial may be concluded as expeditiously as possible.

With the above observation, this application is dismissed.

**(Vinod Kumar Sinha, J)**

spal/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

