

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19606 of 2021

Arising Out of PS. Case No.-134 Year-2019 Thana- PIRPAINTI District- Bhagalpur

Uday Paswan S/o Rital Paswan R/o village- Duldulia, P.S.- Pirpainty, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ravi Shanker, Advocate
		Mr. Shyam Kishor Das, Advocate
For the Opposite Party/s :		Mr. Ram Priya Sharan Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 08-12-2021 Heard Mr. Ravi Shanker Ganguly, learned Advocate for the petitioner and Mr. Ram Priya Sharan Singh, learned Advocate for the State.

The prayer for bail of the petitioner was earlier rejected *vide* order dated 06.03.2020 passed in Cr. Misc. No. 73592 of 2019.

The petitioner is alleged to have raped the prosecutrix in the garb of giving treatment to her.

Learned counsel for the petitioner has submitted that he is 70 years old and is not able to defend himself while remaining in jail.

The legal aid counsel provided to him was not competent enough and therefore the petitioner had to refuse his services.

This Court had called for a report from the



court below about the stage of the case. The report indicates that three witnesses have been examined and three are yet to be examined which includes the I.O. of this case.

Taking into account that the petitioner is in custody since 27.06.2019, this Court deems it appropriate to direct the trial court to positively conclude the trial within a period of four months from the date of receipt/production of a copy of this order, failing which the petitioner would be at liberty to approach the trial court for grant of bail and in that event, the court below shall be under an obligation to indicate the reasons for the tardy progress of the trial.

The petition stands disposed off accordingly.

(Ashutosh Kumar, J)

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