

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31315 of 2020

Arising Out of PS. Case No.-4 Year-2020 Thana- KODHOBARI District- Kishanganj

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Nasir Alam, aged about 27 years, male, Son of Md Rahimuddin @ Md. Rahim, Resident of Village - Goru Mara, Ward No. - 6, P.S. - Korobari, District - Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ram Prawesh Kumar, Adv.
For the Informant	:	Mr. Sanjeev Kumar Singh, Adv.
For the State	:	Mr. Ram Priya Sharan Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

3 08-01-2021 Heard Mr. Ram Prawesh Kumar, learned Advocate for the petitioner and Mr. Sanjeev Kumar Singh, learned Advocate for the informant. The State is represented by Mr. Ram Priya Sharan Singh, learned APP.

The petitioner, who is in custody since 01.03.2020, seeks bail in connection with Korobari P.S. Case No. 04 of 2020, dated 29.02.2020, instituted for the offences under



Sections 376, 323, 504 and 506 of the Indian Penal Code.

The accusation against the petitioner is of having committed rape on the prosecutrix, who is also related to him.

It has been urged on behalf of the petitioner that from the reading of the First Information Report itself, it would appear that the purpose of implicating him is different. The petitioner as well as the victim comes from the same stock of family and there is an inordinate delay in lodging of the First Information Report.

However, in view of the direct allegation of rape against the petitioner, this Court is not inclined to grant bail to him for the present.

The prayer for grant of bail of the petitioner is, accordingly, rejected.

It appears from the report which was called for by this Court about the stage of the case that the case has been committed to the Court of *Sessions*, but the trial has not begun.

The Trial Court is directed to expedite the trial and



conclude the same within a reasonable period of time.

If there is no substantial progress in the trial within the next six months, the petitioner would be at liberty to approach this Court for grant of bail again and in that event, the Trial Court would be required to state the reasons for non-conclusion of the trial within the aforesaid period.

The application stands disposed off accordingly.

(Ashutosh Kumar, J)

Praveen-II/-

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