

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48009 of 2021

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

Nasir Alam Son of 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

Appearance :

For the Petitioner/s : Mr. Ram Pravesh Kumar, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 08-12-2021 Heard Mr. Ram Pravesh Kumar, learned Advocate for the petitioner and Mr. Shailendra Kumar, learned Advocate for the State.

The prayer for bail of the petitioner was earlier rejected *vide* order dated 08.01.2021 passed in Cr. Misc. No. 31315 of 2020.

The petitioner is alleged to have raped the prosecutrix, who is also related to him.

This Court had called for a report from the court below about the stage of the case. The report indicates that five out of ten witnesses have been examined and all possible steps have been taken for examination of the other witnesses.



Regard being had to the nature of accusation against the petitioner, I am not inclined to grant bail to him, notwithstanding the fact that he is in custody since 01.03.2020.

The prayer for bail is rejected.

However, noticing the fact that this court had directed the trial court to expedite the trial and conclude it within a reasonable period of time but trial has not yet concluded, this court further directs that the trial be positively concluded within a period of six 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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