

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.10665 of 2021**

Arising Out of PS. Case No.-68 Year-2017 Thana- PANDARAK District- Patna

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Ranjeet Yadav Son Of Masudan Yadav Resident of Village - Bhuapur, P.S.-
Pandarak, Dist.- Patna, Bihar Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr.Prabhat Kumar Singh,Advocate

For the Opposite Party/s : Mr.Manoj Kumar,APP

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

3 21-08-2021 Learned counsel for the petitioner undertakes to remove all the defects pointed out by the Stamp reporter within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Manoj Kumar, learned APP for the State.

The petitioner in the present case is seeking regular bail in connection with Pandarak P.S. Case No. 68 of 2017 registered for the offences punishable under Sections 376/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that though the allegation against the petitioner is that of committing rape upon the victim girl, the petitioner has now remained in jail for over four years and the trial has not been concluded.

It is further submitted that the victim girl is admittedly major as per FIR and the whole case is concocted and baseless.

On the other hand, learned APP for the State has opposed the prayer for regular bail of the petitioner and submits that from the

impugned order itself it appears that the trial has begun and the victim girl has been examined as PW-1 on 28.05.2019. The learned trial court has stated that due to intervening situation arising on account of Covid-19 pandemic, the evidence has not proceeded further.

Considering the facts and circumstances of the case and in the nature of the allegations, for the present this Court is not inclined to release the petitioner on bail.

This Court, however, cannot be oblivious of the fact that the petitioner is in custody for over four years and the victim girl was examined on 28.05.2019 which was much before the start of the pandemic. The trial court has recorded that no witness has turned up thereafter.

Let the trial court keep this matter on day-to-day basis and all attempts be made to conclude the trial as early as possible and preferably within a period of six months from the date of start of physical functioning of the Court. In case the trial is not concluded within the aforesaid period for no reason attributable to the petitioner, he may renew his prayer for bail.

The application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.