

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3657 of 2022**

Arising Out of PS. Case No.-516 Year-2019 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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RAVINDRA KUMAR Son of Chandradeo Mahto Resident of Village-
Mubarakpur, P.S.- Muffasil, District- Begusarai

... .. Appellant/s

Versus

1. The State of Bihar
2. Kirti Devi Janardan Paswan Resident of Village-Chilmil, P.S.-Mufassil,
District Begusarai

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Anshu Dhar Sharma, Advocate

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

5 26-04-2023 Heard learned counsel for the appellant and learned
A.P.P. to the State.

The appellant has renewed his prayer for bail in a case
registered under sections 376D, 506 and 34 of the Indian Penal
Code read with section 3(2)(v) of the SC/ST Act.

The allegation against the appellant is of having
committed rape on the informant.

The earlier prayer of the appellant was rejected vide
order dated 7.12.2020 passed in Cr. Appeal (SJ) no. 1675 of
2020 and thereafter again by order dated 17.11.2021 passed in
Cr. Appeal (SJ) no. 2848 of 2021.

A report was called for from the learned trial Court.



As per the report contained in letter no. 43 dated 19.11.2022 of the Incharge Exclusive Special Judge, SC/ST (POA) Act, Begusarai, the case is fixed for argument, however, the Court is vacant since 27.5.2022.

Having heard learned for the parties and taking into consideration the submissions made, in view of the nature of allegation against the appellant, the Court is not inclined to enlarge the appellant on bail and the appeal is rejected.

From the contents of the report received from the learned trial Court as contained in letter dated 19.11.2022, it appears that the case was fixed for argument, however, the Court was vacant. More than ten months have passed since the said report.

In case the trial is still pending, the appellant will have liberty to mention before the learned Sessions Judge for transfer of the case to some other Court for speedy disposal of the case.

(Partha Sarthy, J)

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