

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.52735 of 2015**

Arising Out of PS.Case No. -461 Year- 2014 Thana -GAYA MUFFSIL District- GAYA

Diamond Yadav, Son of Raj Kumar Yadav, resident of Village -  
Gajadharpur Tola, Karnibagh, Police Station - Wazirganj, District - Gaya.

.... .... Petitioner

Versus

The State of Bihar.

.... .... Opposite Party

**Appearance :**

For the Petitioner/s : Mr. Vishwa Ranjan Choudhary, Advocate

For the Opposite Party/s : Mr. Sadanand Paswan, Spl. PP

**CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH**

**ORAL ORDER**

2 30-01-2016

Heard learned counsel for the petitioner and learned  
Special Public Prosecutor for the State.

The petitioner seeks bail in connection with  
Mufassil P.S. Case No. 461 of 2014 registered under Sections  
366-A, 376 read with 34 of the Indian Penal Code and Section  
3(2)(v) of the Scheduled Castes & Scheduled Tribes (Prevention  
of Atrocities) Act.

It is contended that by now six witnesses have  
already been examined and there is no likelihood of the trial  
being concluded in near future. It is further contended that  
during deposition the victim has not named the petitioner as the

person who raped her.

Be that as it may, regard being had to the advance stage of the case as also the fact that in the statement made under Section 164 of the Code of Criminal Procedure, the victim has named the petitioner as one of the abductors and during captivity the victim was subjected to rape by co-accused Santosh and Raushan, I am not inclined to grant him bail. Accordingly, the application for bail is rejected.

The trial court is directed to expedite the trial of the case and conclude the same as early as possible.

**(Ashwani Kumar Singh, J.)**

Sanjeet/-

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