

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51574 of 2015

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1. Saty Narayan Thakur @ Doma Thakur Son of Badri Thakur resident of Village Lalamaniya, P.S. Lalamaniya (Laukahi), District - Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav

For the Opposite Party/s : Mr. Sanjay Kumar Singh (App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 15-12-2015

Heard both sides.

The petitioner seeks bail in Laukaha (Ladaniya)

P.S. case no. 78 of 2015 registered under Sections 363 and 365 of the IPC.

The informant has alleged that the petitioner was a Tantrik. Her mother was not keeping well and she was allowed to stay in the Ashram/home of the petitioner who persuaded them to do so and pay some money. After few days he returned to the Ashram and found that her mother and other brothers were missing. The lady was subsequently recovered and her statement recorded under Section 164 of the Cr.P.C. She had alleged that during her stay at the house/Ashram of the petitioner she was subjected to rape by the petitioner.

Contention of the petitioner is that the victim has gone to the place on her own. No fraud was committed. The lady has already been recovered. The medical report did not find recent sign of rape inasmuch as no spermatozoa was found in the vaginal smear. He is in custody since 27.06.2015.

Considering the allegations and the other materials on record, I am not persuaded to release the petitioner on bail. Prayer is rejected.

Petitioner shall have liberty to renew prayer for bail after 05 months in the learned Court below itself if the trial does not record adequate progress.

(Kishore Kumar Mandal, J)

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