

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49121 of 2025

Arising Out of PS. Case No.-31 Year-2024 Thana- BAISI District- Purnia

-
1. Batasu Roy @ Batasu Harijan S/O Late Sutai Harijan @ Late Sutai Rai R/O Vill.- Gwalgaw, P.O. and P.S.- Baisi, Dist.- Purnea, 854315
 2. Rudal Roy @ Rudal Kumar S/O Batasu Harijan @ Batasu Rai R/O Vill.- Gwalgaw, P.O. and P.S.- Baisi, Dist.- Purnea, 854315

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Anand
For the Opposite Party/s : Ms. Madhuri Lata

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 12-08-2025 1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Baisi Police Station Case No. 31 of 2024, dated 18.02.2024, disclosing offences punishable under Sections 323/341/354/354-B/504/506/34 of the Indian Penal Code and Sections 3/4/5 of the Prevention of Witch (Daain) Practices Act, 1999.
3. The prosecution case, as per the First Information Report, is that on 18.02.2024 in the morning at about 11 AM, when the informant went to her field, the petitioners, along with other accused persons, surrounded the



informant, started abusing, forcibly dragged her to their field, they forced her to consume human excreta and called the informant witch (daain).

4. Learned Counsel for the petitioners submits that the petitioners have not committed any offence in the manner alleged. They have been made accused in this case due to the long standing land dispute between the family members. The informant is the sister-in-law (bhabhi) of the petitioner no. 1 and her husband and the petitioner no. 1 are cousin brothers. The petitioner no. 2 is the son of the petitioner no. 1. He further submits that on the basis of similar allegation, Complaint Case No. 1153 of 2024 has also been filed by the informant on 27.05.2024, which is still pending for enquiry before the learned Magistrate.
5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that both the parties are closely related and there is long standing land dispute between them, I am inclined to grant the petitioners privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioners, above named, in the event of his arrest or surrender before the Court below within a period of



four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Baisi, Purnea, in connection with Baisi Police Station Case No. 31 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

U	✓	T	✓
---	---	---	---

