

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64376 of 2025

Arising Out of PS. Case No.-165 Year-2025 Thana- SAMASTIPUR District- Samastipur

1. Dipak @ Deepak Ram Son of Adalat Ram Resident of Ward No. 25, Chini Mil Chowk, Town P.S., Dist-Samastipur, Bihar
2. Amit Ram Son of Dipak Ram Resident of Ward No. 25, Chini Mil Chowk, Town P.S., Dist-Samastipur, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Keshav Bhardwaj, Advocate
For the Opposite Party/s : Mr. Nand Kishore Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 25-09-2025 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 126(2), 115(2), 352, 351(2), 76, 109(1), 303(2), 329(4) and 3(5) of the BNS as well as Sections 3, 4, 5 and 6 of the Prohibition of Witch (Daain) Practices Act, 1999.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and the informant alleges that accused persons on 18.06.2025 entered her house and Dilip Ram along with petitioner no. 1 assaulted her. Thereafter, the accused persons again on 19.06.2025 entered her house and Dilip Ram assaulted her by an iron rod but she



warded off the blow. Thereafter, petitioner no. 2 dragged her and her son outside the house and brought them to a field where Panchayati was being held. Further, in presence of the Panches Dilip Ram and petitioners called her witch and made her eat excreta.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is further submitted that the date of occurrence is 18/19.06.2025 but then the FIR came to be instituted on 24.06.2025, i.e., after a delay of 5-6 days of the occurrence. It is next submitted that there is a land dispute in between the side of the petitioners and the informant. It is also submitted that had the petitioners any intention of committing the occurrence then they would not have brought the informant along with her son in the Panchayati for committing the occurrence as evidence would have been created.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, let the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on



anticipatory bail on furnishing bail bonds of Rs.10,000/-
(Rupees Ten Thousand) each with two sureties of the like
amount each to the satisfaction of the learned trial court where
the case is pending/Successor Court in connection with
Samastipur Town P.S. Case No. 165 of 2025, subject to the
conditions as laid down under Section 482(2) of the BNSS.

(Satyavrat Verma, J)

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