

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71548 of 2025

Arising Out of PS. Case No.-788 Year-2024 Thana- GAYA MUFASIL District- Gaya

1. Bali Ram Sharma S/O Surendra Mistri R/O Vill. - Iguna Badhi Tola, P.S - Mufassil, Dist- Gaya (Bihar)
2. Jai Ram Sharma @ Jai Ram Kumar @ Jairam Sharma S/O Surendra Mistri R/O Vill. - Iguna Badhi Tola, P.S - Mufassil, Dist- Gaya (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Murli Dhar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 13-10-2025 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offences punishable under Sections 329(3), 329(4), 126(2), 115(2), 74, 76, 3(5) of the Bharatiya Nyaya Sanhita and Section 3/4 of the Prevention of Witch Practices Act.

3. As per prosecution case, on 15.09.2024 at about 3 PM, these petitioners, variously armed, entered the house of informant, called his wife witch and disrobed her.

4. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence. Both parties are agnates and due to dispute regarding ancestral



property, scuffle took place between female members of both parties. Allegation of assault is general and omnibus and there is no specific allegation of overt act against these petitioners. Rest of the allegations are ornamental only to make the case grave. Petitioners claim clean antecedent.

5. Learned A.P.P. for the State vehemently opposed the bail application.

6. Considering the nature of accusation and clean antecedent, this anticipatory bail is allowed and it is ordered that let the above named petitioners in the event of their arrest/surrender before the court below within a period of eight weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya in connection with Muffasil P. S. Case No. 788 of 2024, subject to condition as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Prabhat Kumar Singh, J)

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