

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43332 of 2018

Arising Out of PS. Case No.-47 Year-2017 Thana- NASRIGANJ District- Rohtas

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1. Kasim Khan, S/o Anwar Khan
 2. Mujafar @ Mojafar Imam @ Mojafar Imam Khan @ Guddu, S/o Kalim Khan
 3. Arshad Imam @ Arshad Imam Khan @ Kallu S/o Kasim Khan,
All Residents of Vill.- Taraon, P.S.- Nasriganj, District- Rohtas.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Y.C. Verma, Senior Advocate Mr. Rabindra Nath Singh, Advocate
For the Opposite Party/s	:	Mr. Binod Kumar No.3, APP

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 20-07-2018 Heard learned counsel for the petitioners and learned
counsel for the State.

In this case, the petitioners are seeking anticipatory
bail in connection with Nasriganj P.S. Case No.47 of 2017,
registered for the offence punishable under Sections 323, 341,
325, 504 and 506/34 of the Indian Penal Code.

It appears from the record that earlier the petitioners
were granted bail by the Court below, thereafter, Section 307 of
the Indian Penal Code has been added. The petitioners
apprehend their arrest.



As the petitioners are on bail, the present anticipatory bail application is not maintainable. However, if the petitioners surrender before the Court below and prays for bail, the Court below will consider the fact that earlier they were granted bail and shall verify whether the petitioners have misused the privilege of bail or not. If there is no misuse of privilege of bail, the Court below will pass order in accordance with law on the day the petitioners surrender before the Court below.

Accordingly, this application is disposed of.

(Shivaji Pandey, J)

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