

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No. 83190 of 2024**

Arising Out of PS. Case No.-377 Year-2023 Thana- AURANGABAD TOWN District-  
Aurangabad

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1. Nehaluddin Khan @ Md. Nehaluddin, S/o- Ekbaluddin Khan, Residents of village- Simra, PS- Fesar District-Aurangabad at present of Mohalla- Ali Nagar, PS- Town District- Aurangabad
  2. Ekbaluddin Khan, S/o- Late Basiruddin Khan, Residents of village- Simra PS- Fesar District-Aurangabad at present of Mohalla- Ali Nagar ,PS- Town District- Aurangabad
  3. Musarat Khanam @ Sufik Khanam @ Musarat Khanam, W/o- Ekbaluddin Khan, Residents of village- Simra PS- Fesar District-Aurangabad at present of Mohalla- Ali Nagar, PS- Town District- Aurangabad

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sanjida Khanam, W/o- Late Mehbub Ahmad Khan @ Bhure Khan Village- Pathan Toli W.No-15, P.S.- Town Dist- Aurangabad

... .. Opposite Party/s

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**Appearance :**

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| For the Petitioner/s     | : | Mr.Kamlendra Prasad Singh, Advocate  |
| For the Opposite Party/s | : | Mr.Dilip Kumar No. 1, APP            |
| For the Informant        | : | Mr. Shailendra Kumar Singh, Advocate |

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**CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY**  
**ORAL ORDER**

2      12-12-2024                      Heard learned counsel for the petitioners, learned counsel for the informant and Mr. Dilip Kumar No. 1, learned APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Aurangabad Town P.S. Case No. 377 of 2023 instituted for the offence under Sections 341, 323, 324, 379, 504, 506, 34 of the Indian Penal Code. Later on Sections were



changed as 147, 149, 341, 323, 324, 307, 354, 379, 504, 506 of the Indian Penal Code.

3. Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They have falsely been implicated in this case. Learned counsel for the petitioners prays for direction to disposal of the prayer of bail on the same day.

5. Before going into the case of the prosecution, it has been by learned counsel for the petitioners that the petitioners have already been granted bail by the Court of learned C.J.M. Later on, charge sheet was filed under Section 307 of the I.P.C. and their bail was cancelled by learned C.J.M. In given facts where bail has already been granted and cancelled, anticipatory bail is not maintainable as such, I am not inclined to enlarge the petitioners on bail. The prayer for grant of anticipatory bail on their behalf is hereby rejected.

6. However, petitioners are at liberty to take legal recourse, if so advised.

7. Accordingly, this application is dismissed.

**(Ashok Kumar Pandey, J)**

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