

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.23203 of 2019**

Arising Out of PS. Case No.-466 Year-2018 Thana- RAJAON District- Banka

Md. Nejamuddin @ Md. Nazimuddin @ Md. Nizamuddin Son Of Md.  
Halimuddin R/o village- Harna Buzurg, P.S.- Rajoun, District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Md. Najmul Hodda, Advocate

For the Opposite Party/s : Mr. Akbar Ali, APP

**CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY**  
**ORAL ORDER**

2      11-04-2019                      Heard learned counsel for the petitioner and learned  
counsel for the State.

In this case, the petitioner is seeking anticipatory  
bail in connection with Rajoun P.S. Case No.466 of 2018,  
registered for the offences punishable under Sections 4/40 of the  
B.M.M.C. Rule 1972, Section 3/6/8(d) of Bihar Illegal  
Transportation and Storage Rules 2003, Section 4/21 MMDR  
Act 1957, Section 3/4 of Damage of Public Property Act and  
Section 379, 411 of the Indian Penal Code.

The allegation against the petitioner is to have  
lifted the sand illegally, however, learned counsel for the  
petitioner submits that the petitioner has got no criminal  
antecedent.



Looking to the entire facts and circumstances of the case, let the petitioner, above-named, be released on anticipatory bail in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Banka, in connection with Rajoun P.S. Case No. 466 of 2018, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure with a further condition that if the petitioner, after his release in this case, is again found involved in similar nature of cases then the concerned court would be at liberty to take steps for cancellation of his bail bonds. Further condition is that whenever the police will call the petitioner for the purposes of investigation and interrogation, he will remain present for the investigation. In the event of being absent on two consecutive dates without reasonable explanation, the present order will be treated to have been cancelled.

**(Shivaji Pandey, J)**

V.K.Pandey/  
S. Katyayan/-

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