

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46504 of 2016

Arising Out of PS.Case No. -94 Year- 2016 Thana -KHODAWANPUR District- BEGUSARAI

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Isha Bedil @ M. Isa Bedil Son of Late Sheikh Bhola Resident of Village +
P.O.Amari, P.S. Khodawandpur (Chhaurahi O.P.), Duistrict-Begusarai

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ambika Bhagat, Advocate.

For the Opposite Party : Mr. Ram Bachan Singh, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 13-01-2017 Heard both sides.

The petitioner apprehends his arrest in Khodawandpur (Chhaurahi O.P.) P.S. Case No. 94 of 2016, registered for the offences punishable under Sections 406 and 420 of the Indian Penal Code.

The informant Shamshir Alam alleged that he was looking after his family after reciting Namaj in Mosque and he was requesting for contribution in the year 2011. The petitioner came across and asked the informant to pay Rs. 1 Lakh and he would provide him job in Madarsa. The informant further alleged that Rs. 90,000/- was paid to the petitioner and the petitioner gave him appointment of a teacher in Madarsa but no salary was paid.

Learned counsel for the petitioner submits that there is



no chit of paper to show that the petitioner took any money from the informant. The informant was appointed on the post of teacher on the condition that he would get salary after receiving grant from Madarsa Board and that is why salary of the petitioner was not paid. It is further submitted that the petitioner has already been acquitted in four other cases, as mentioned in paragraph-3 of the bail petition, which were lodged against the petitioner and now the petitioner has got no criminal antecedent.

Learned counsel for the informant as well as learned APP opposed the prayer for anticipatory bail of the petitioner and submitted that the petitioner issued appointment letter to the informant but the informant did not get salary. From letter no. 417 dated 16.12.2011 issued by the Block Education Officer, Chhaurahi, Begusarai it would appear that the petitioner never submitted name of the petitioner. Only six teachers were appointed in the aforesaid Madarsa. The petitioner cheated the informant. The petitioner has got criminal antecedent and he is also accused in Rosera P.S. Case No. 124 of 2002 but he has not mentioned the aforesaid case in paragraph-3 of the bail petition.

Considering the facts aforesaid and nature of allegations made against the petitioner and the fact that that the petitioner has got criminal antecedent, I am not inclined to enlarge the petitioner



above named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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