

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.62856 of 2019**

Arising Out of PS. Case No.-264 Year-2019 Thana- GORAUL District- Vaishali

Ahmad Raza, aged about 59 years, Male, Son of Md. Soidur Rahman,  
Resident of Village- Pokhraria, P.S.- Nanpur, District- Sitamarhi.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Binay Kumar, Adv.

For the Opposite Party/s : Mr. Ajay Mishra, APP

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

2      22-10-2019                      Heard learned counsel for the petitioner and learned  
counsel appearing on behalf of the State.

The petitioner apprehend his arrest in connection with  
Goraul P.S. Case No. 264 of 2019 registered under sections 420,  
467, 468, 471, 120(B) I.P.C.

The allegation against the petitioner is that the  
petitioner being the principal of Madarsa Jamia Rahmania  
Hamadia, village Pokhrera, dist-Sitamarhi issued a certificate of  
“Moulvi” in favour of one Nazir Hussain co-accused for which  
the petitioner was not authorized and the certificate issued by  
the petitioner was forged and fake.

Mr. Abdul Mannar Khan, learned counsel appearing  
for the petitioner submits that the petitioner has falsely been  
implicated in this case without any basis inasmuch as the



petitioner is the principal of a Madarsa which has been imparting education to the students for the last 50 years and had been granting certificates for various courses including Hafis, Kaji, Moulvi, Mufti etc however from the year 2015 as per circular certificate up to the level of Wastania can only be granted by the Madarsa Board. Learned counsel further submits that earlier certificates were granted by the Madarsa itself for various courses. Learned counsel further submits in the present matter the certificate of Moulvi to the co-accused was granted in the year 2005 i.e. prior to the year 2015 and the same cannot be said to be fake and forged.

Learned counsel appearing for the State opposes the prayer for anticipatory bail and submits that the petitioner was not authorized to issue certificate of Moulvi as per the circular of 2015.

Having regard to the submissions made by the parties and taking into consideration the fact that the certificate was issued by the Madarsa in question in the year 2005 i.e. prior to 2015 when the Madarsa in question was listed with the Madarsa Board and was authorized to impart education up to Wastania, only, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, the petitioner, above named, in the event



of arrest or surrender before the learned Court below within a period of four weeks from today shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Hajipur in connection with Goraul P.S. Case No. 264 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

**(Anil Kumar Sinha, J)**

Anjula/-

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