

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17636 of 2025

Arising Out of PS. Case No.-1371 Year-2023 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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- 1 . Jamil Ahmad S/o- Late Sheikh Tujar Village- Alhkaparir Ps- Ramgarhwa
Dist- East Champaran
 2. Anisurrahman Rahman S/o- Late Atullah Village- Adhkaparia Ps-
Ramgarhwa Dist- East Champaran
 - 3 . Bashir Ahmad Mojahiri S/o- Late Sk. Sohaib @ Atiullah Village- Jatwa Ps-
Banjariya Dist- East Champaran

... .. Petitioner/s

Versus

- 1 . The State of Bihar
2. Jaki Ahmad S/o- Shekh Saffiullah R/o- Semra Ghat Ps- Majhauriya Dist-
West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mithilesh Kumar , Advocate
For the Opposite Party/s : Mr. Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 22-04-2025 Heard learned counsel for the petitioners and the
State .

2. Petitioners apprehends arrest in a case registered
for the offence punishable under sections 406, 420 and 467 of
the Indian Penal Code .

3 . As per the prosecution case , these petitioners are



alleged to have defalcated approximately Rs. 29 lacs of Madarsa Islamia Kuraniya Semra .

4. Learned counsel for the petitioners submits that petitioners are quite innocent and has committed no offence as alleged. Allegation is general and omnibus against these petitioners. As per “*Dasturai Amal*” section 8 of Rule of *Madarsa Islamiya Qurania Semra* only the Shura (an advisory council) is competent person who allow to file case in the Court with regard to the affairs of Madarsa but neither the Shura of Madarsa nor the Secretary of Madarsa has lodged the present complaint and as such, the complaint has lodged by unauthorized person . Petitioner No. 1 who is Munshi of the Madrsa , petitioner No. 2 who is Principal of the Madarsa and petitioner No. 3 who is one of the member of Managing committee have falsely been implicated in this case with ulterior motive .

5 . Learned counsel for the State opposed the prayer for bail and submitted that petitioners are named in the complaint and there is specific allegation against these petitioners that these petitioners in connivance with other accused persons defalcated huge amount of Madarsa Jamilya Islamia Kuraniya Semra .



6. Considering the nature of accusation and gravity of offence , prayer for pre-arrest bail of the petitioners is rejected.

(Prabhat Kumar Singh, J)

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