

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35284 of 2022

Arising Out of PS. Case No.-60 Year-2015 Thana- NALANDA District- Nalanda

SINTU KUMAR SON OF SHAILENDRA KUMAR @ SALIM MAHTO
R/O- VILL-NEERPUR, P.S.- NALANDA, DIST.- NALANDA.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad
For the Opposite Party/s : Mr. Md. Ataur Rahman

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 15-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner apprehends his arrest in connection with
Nalanda P.S. Case No.60 of 2015, registered for the offences
punishable under Sections 147, 149, 341, 323, 307, 435, 436,
506 and 302 of the Indian Penal Code.

As per allegation in the FIR, informant is running a
primary school at her house and on 28.06.2015 unlawful
assembly of 400-500 persons entered into her school and started
to assault her. When her husband came there to save her, the
accused persons brutally assaulted him as a result of which he
died. They also set the school on fire alongwith two four-
wheelers. Petitioner is said to be a member of the mob.

Learned counsel for the petitioner submits that



petitioner is innocent and has falsely been implicated in the present case. It is submitted that the petitioner has got no criminal antecedent as stated in paragraph-3 of the bail petition. It is fairly submitted that some of the co-accused persons have been granted regular bail and some of the co-accused persons have been granted anticipatory bail.

Learned APP for the State opposed the prayer for grant of anticipatory bail to the petitioner by submitting that there is ample evidence against the petitioner in the case diary.

Taking into consideration the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the prayer for grant of anticipatory bail to the petitioner is hereby rejected.

However, if petitioner surrenders before the learned court below within a period of six weeks from today and prays for regular bail, the learned court below shall consider the prayer for regular bail of the petitioner preferably on the same day without being prejudiced by this order of rejection.

(Anjani Kumar Sharan, J)

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