

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10534 of 2026

Arising Out of PS. Case No.-202 Year-2017 Thana- BANKA District- Banka

Dasrath Mahto @ Dashrath Mahto, S/O Late Rajan Mahto, R/o Village-
Mahesha Munda, P.S-Kahalgaon, District-Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Jha
For the Opposite Party/s : Mr.Kalyan Shankar

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 23-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection
with Banka (Barahat) P.S. Case No. 202 of 2017 registered for
the offence punishable under Section 395 of I.P.C.

3. The case of the prosecution, in short, is that
unknown miscreants have committed loot of Rs. 35,000/-,
mobile phone from the informant and his driver and key of
motorcycle on gun point.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner is innocent and has
committed no offence. He has been falsely implicated in this



case. The F.I.R. was lodged against unknown miscreants. The name of this petitioner has surfaced during investigation in the confessional statement of co-accused Mithun Mahto. It has further been submitted that nothing has been recovered from the possession of this petitioner. No T.I.P. was conducted. It has also been submitted that save and except the confessional statement of co-accused, there is nothing against the petitioner. He is languishing in judicial custody since 17.07.2025.

5. Learned APP appearing for the State has vehemently opposed the application for bail and has submitted that petitioner is having criminal antecedent of eight cases.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned J.M. 1st Class, Banka in connection with Banka (Barahat) P.S. Case No. 202 of 2017 **with the following conditions:-**

(i) The petitioner shall cooperate in the trial and shall remain physically present in the trial whenever required.



(ii) The petitioner shall mark his attendance
weekly at Kahalgaon P.S.

(Ashok Kumar Pandey, J)

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