

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88159 of 2025

Arising Out of PS. Case No.-220 Year-2017 Thana- SHERGHATI District- Gaya

Santosh Kumar @ Santosh Mahto S/O Upendra Singh @ Upendra Mahto R/O
Vill.- Apaki, P.S.- Kasma, Dist.- Aurangabad

... .. Petitioner

Versus

The State of Bihar Patna

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Kamendra Prasad Singh, Advocate

For the Opposite Party/s : Mr. Nand Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 01-04-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since 05.04.2025 in connection with Sherghati P.S. Case No. 220 of 2017 for the offences punishable under Sections 419, 414, 120(B) of IPC and Sections 25(1-b)a, 26 and 35 of Arms Act.

3. The prosecution story, in brief, is that on a secret informant police raided a house of two warrant accused and caught them. On being asked they disclosed their name as (1) Niraj Kumar @ Satendra Ravidas, (2) Rajesh Kumar Ravidas @ Akash Das @ Pankaj Das and (3) Sanjay Das. Further on being asked they disclosed that they were planning for Bank robbery in the house. They further disclosed that accused petitioner Santosh Mahto and Vikash Singh are also involved in this crime.



They were arrested accordingly. Further in their confessional statement they disclosed the place where they hidden arms and stolen articles. Further on the disclosure of their statement that place was searched from where heavy quantity of arms were recovered. Some stolen articles were also recovered. Seizure list is attached with the record. Both accused Niraj and Rajesh disclosed that they used the recovered articles. Regarding recovery of money they said that it is looted money from Magadh Gramin Bank and regarding gold jewellery they have disclosed that this gold jewellery brought by Sanjay Das and Santosh Mahto and they told that they converted it into money from Gold Smith.

4. Learned counsel for the petitioner submits that petitioner has been made an accused in the present case based on the confessional statement of co-accused person and petitioner is remanded in the present case on 05.04.2025. Learned counsel for the petitioner submits that except the confessional statement no cogent material has come during the course of investigation to suggest the involvement of petitioner in the present case and till date no TIP has been conducted by the prosecution and police after investigation has submitted charge-sheet and petitioner is in custody since 05.04.2025.



5. The learned Additional Public Prosecutor for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner and submits that petitioner has antecedent of two cases other than the present case but fairly submits that in paragraph-12 of bail petition, it is mentioned that petitioner is on bail in the pending matters.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Sherghati (Gaya) in connection with Sherghati P.S. Case No. 220 of 2017, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be canceled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall



verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Gaurav Sinha/-

U		T	
---	--	---	--

