

COURT OF DISTRICT & ADDL. SESSIONS JUDGE-II, BARH (PATNA)

ABP No. 483 of 2026

*Arising out of Pandarak P.S. Case No. 15 of 2024
(u/s 457 & 380 of IPC)*

1. Prince Kumar S/O Uday Mahto
2. Alok Kumar S/O Uday Mahto
3. Uday Mahto S/O Late Rajendra Mahto
4. Birju Mahto S/O Late Rajendra Mahto
5. Sanjay Mahto S/O Late Brahmdev Mahto
6. Pavan Mahto S/O Late Brahmdev Mahto
7. Dipak Kumar S/O Pavan Mahto **Petitioners**
(All Resident of Village:- Bihari Bigha, P.S:-Pandarak, Distt:- Patna)

Vs.

State of Bihar

.....**Opposite Party (O.P)**

For the petitioner : *Sri. Rajneesh Kumar, Ld. Advocate*

For the O.P.(State) : *Sri Binod Kumar, Addl. Public Prosecutor*
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ORDER

05/06/2026

1. The anticipatory bail application has been filed on the behalf of the petitioners **Prince Kumar, Alok Kumar, Uday Mahto, Birju Mahto, Sanjay Mahto, Pavan Mahto and Dipak Kumar**, who are apprehending arrest in connection with **Pandarak P.S. Case No. 15 of 2024** registered *u/s- 457 & 380 of IPC*.

2. Heard the Ld. Counsel for the petitioner and the Ld. APP for the state.

3. As per the FIR, allegation against these petitioners is that they allegedly broke open the door and took away cash and valuables from the informant's house. The Informant suspects the involvement of these petitioners in the commission of alleged offence, which led to the institution of the FIR.

4. The Ld. Counsel for the petitioners submit that the petitioners are innocent and have falsely been implicated in this case merely on the basis of suspicion. There is no direct or indirect evidence to suggest the involvement of these petitioners in the commission of alleged offence.

5. The Ld. Counsel for the petitioners submits that though upon completion of investigation the police had submitted final report holding therein "lack of evidence", the Ld. Magistrate differed with the police report and took cognizance of the offence against these petitioners. Hence, prays for enlarging the petitioners on bail.

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05/06/2026 (Cont'd/-....)

6. The Ld. APP opposed the prayer of bail.

7. Heard both the sides and perused the case record. From the perusal of record, it transpires that police has submitted a final report finding the case is not true against these petitioners. It further transpires from the perusal of case diary that the witnesses in their statement recorded U/sec. 161 of Cr.P.C stated about long standing dispute between the parties which led to filing of present case based on suspicion. Furthermore, the petitioners at Serial No. 1,2,3 & 4 have antecedent as per para-3 of the bail petition, in which they are on bail.

7. In the light of aforesaid facts, let the petitioners namely **Prince Kumar, Alok Kumar, Uday Mahto, Birju Mahto, Sanjay Mahto, Pavan Mahto and Dipak Kumar** be released on bail in event of arrest or surrender before the court within period of four weeks from the date of communication of this order on furnishing bail bond Rs. 10,000/- with two sureties of like amount each to the satisfaction of Ld. Trial Court subject to the conditions as specified u/s 438(2) of Cr.P.C.

Dictated & Corrected

Sd/
(Manish Kumar)
Addl. Sessions Judge-II,
Barh (Patna)

Memo No. Dated June, 2026

Copy forwarded to : The Court of **Ld. ACJM-I, Barh.**

(Manish Kumar)
Addl. Sessions Judge-II,
Barh (Patna)

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