

In the Court of District & Additional Sessions Judge-Ist-cum Spl. Judge of SC/ST Act, Sheikhpura

SC/ST Case No. 174 of 2017

Sheikhpura P.S. Case No. 166/2015

I.A. No. 01/2026

State of Bihar versus Damo Mahto

02.02.2026

Surrender-cum-bail petition along with new vakaltnama and attendance filed on behalf of the accused-petitioner namely Damo Mahto in connection with SC/ST Case No. 174 of 2017, is moved today. A copy of this bail petition has already been served to the learned Spl.P. P. for the State.

Heard the learned counsel of the petitioner, as well as, Learned Spl.. P. P for the state.

The learned lawyer for the accused-petitioner has submitted that the petitioner is innocent and he has not committed any offence as alleged. The petitioner was granted bail on 17.06.2015 and cognizance has been taken on 05.03.2016 and the case record was running at the stage of statement but petitioner could not appear before the court from several dates, as a result of which, his bail bond has been canceled on 08.08.2025 by this Court and process of N.B.W. and process of 82 of Cr.P.C. issued against him. He has further submitted that he has not misused the privilege of bail intentionally and knowingly. He has further submitted that the petitioner is undertake, as well as, assure to the Court that he will not commit such type of mistake again in future. He has further submitted that when the petitioner got knowledge about the cancellation of bail bond from reliable sources then, he voluntarily surrendered before this Learned Court and pray for bail. The petitioner is ready to obey each and every direction of this Court and also ready to furnish fresh bail bond to the satisfaction of this Learned Court.

On the other hand, the learned Spl. P.P. did not controvert the submission of the learned defence lawyer and fairly conceded that the petitioner has suo-moto surrendered before this Court and he is ready to give undertaking that he will co-operate in trial.

I have heard the rival submission of both the parties and perused the case record. The case record was running at the stage of statement. The petitioner was on bail but due to his non appearance/ non pairvi in the court, the bail bond of the accused-petitioner was canceled and the process of N.B.W and process of 82 of Cr.P.C. issued against the accused-petitioner for his

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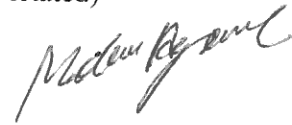
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appearance. Accordingly, I find that this is a case of misuse of privilege of bail but today the petitioner suo-moto surrendered before the Court and he is ready to give an undertaking that he will co-operate in trial.

Considering the facts and circumstances of the case, submissions made by the parties and the accused-petitioner undertakes that he will co-operate in trial, I think it will be proper to release the accused-petitioner namely Damo Mahto on bail after furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of like amount each to the satisfaction of this court, with conditions that (I) Petitioner is directed to co-operate in trial otherwise, his bail bond shall be cancelled suo-moto. (II) It is further ordered that petitioner shall physically present till disposal of the case. (III) Petitioner is directed to deposit Rs. 500/- each to the D.L.S.A., Sheikhpura.

(Dictated)



District & Additional Sessions Judge-Ist,
cum- Spl. Judge of SC/ST Act

Sheikhpura

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