

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27412 of 2026

Arising Out of PS. Case No.-69 Year-2025 Thana- BARURAJ District- Muzaffarpur

Raj Kumar Mallik @ Raj Kumar Son of Nanhak Mallik Resident of Village-
Birhima, P.S.- Baruraj, District- Muzaffarpur, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vibhuti Kumar, Advocate Mr. Rakesh Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Nagendra Prasad, A.P.P

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR
ORAL ORDER

4 20-07-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with Sessions Trial No. 901 of 2025, Baruraj P.S. Case No. 69 of 2025 lodged on 10.05.2025, for the offence punishable under Sections 115(2), 126(2), 103, 351(2), 352 and 3(5) of B.N.S, 2023, pending in the Court of learned Additional Sessions Judge-3rd, Muzaffarpur.

3. Prosecution case, in brief, is that this case has been registered on the basis of Fardeyan of the informant, Asha Devi, who has alleged that in the morning of 09.05.2025, her husband, Kailash Mallik had gone to sell “Daliya”, meanwhile, Raj Kumar, Mithun Mallik, Suraj Mallik and Shanti Devi started



abusing and fighting with him. It is further alleged that Raj Kumar inflicted bamboo blow, causing injury on the head of her husband and he fell down and became unconscious. When she tried to save her husband, she was also inflicted with bamboo blow, causing injury on her head. When her son and daughter reached to save, Mithun Mallik and Suraj Mallik also inflicted bamboo blow, causing injury on the head of Vijay whereas Shanti Devi caused injury on the head of her daughter by “Dab”. Thereafter, her another son Rakesh Mallik came to save them but Suraj inflicted “Dab” blow causing injury on his right hand. When her younger son reached there, they snatched phone from him. Meanwhile, police reached there and took them to PHC, Motipur, wherefrom, they were referred to SKMCH, where her husband Kailash Malik was declared dead.

4. Learned counsel for the petitioner submits that the petitioner has been falsely been implicated in this case due to land dispute. He further submitted that co-accused Nanhak Mallik has already been granted bail on similar footing. Petitioner is in custody since 12.05.2025. He further submits that the petitioner has no criminal antecedent.

5. Learned APP for the State vehemently opposes the prayer for bail of the petitioner.



6. Having heard the parties and taking into account that Raj Kumar Mallik is named accused in the F.I.R and there is specific allegation against him that he had hit Kailash Malik on his head and Kailash Malik died during the course of treatment. Post mortem report shows that head injury is the cause of death of the deceased.

7. Considering the aforesaid facts and circumstance of the present case, I am not inclined to grant bail to the petitioner. Accordingly, the prayer for regular bail of the petitioner is hereby rejected.

(Alok Kumar, J)

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