

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77444 of 2025

Arising Out of PS. Case No.-34 Year-2025 Thana- BIHARIGANJ District- Madhepura

Kailu Mallah @ Rajdeep Mallah S/o- Rajendra Mallah Village- Baijnathpur
W.No-1, PS-Bihariganj, Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Singh, Advocate

For the Opposite Party/s : Mr.Yogendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

3 17-01-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in Bihariganj P.S.
Case No. 34 of 2025 dated 28.01.2025, registered under
Sections 80(2), 238(a) and 3(5) of the Bharatiya Nyaya Sanhita.

3. As per the prosecution case, due to non-fulfillment
of demand of dowry, the deceased has been killed. The
petitioner is accused of killing the deceased.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the
present case. It is further submitted that the petitioner is the
elder brother of the husband of the deceased and he has no
concern with the family affairs of the deceased or her husband.
It is also submitted that the allegations against the petitioner are



general and omnibus in nature. Learned counsel further submits that the husband of the deceased is already in custody. The informant has arrayed all family members of the petitioner, including the husband, as accused in the case. One of the petitioner's elder brothers, namely Arvind Mallah @ Arvind Kumar, has already been granted regular bail by a Co-ordinate Bench of this Court vide order dated 03.09.2025 in Cr. Misc. No. 43360 of 2025. Lastly, it is submitted that the petitioner has been in custody since 26.03.2025 having no criminal antecedents and charge sheet in the case has already been submitted.

5. Learned Additional Public Prosecutor for the State has opposed the prayer for bail.

6. Considering the fact that the petitioner is the brother-in-law (*Bhaisur*) of the deceased and there is general and omnibus allegation against him, this Court is inclined to release the petitioner on bail.

7. Accordingly, let the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M. Udakishunganj, District Madhepura, in connection with Bihariganj P.S. Case No. 34 of 2025.



8. The application stands allowed.

(Khatim Reza, J)

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