

Court of District and Addl. Sessions Judge, Biraul(Darbhang)

Present:- Sri Shiv Kumar,

Dist.&Addl. Sess. Judge, Biraul.

BP No. 103/2026(Amarjeet Mallik and others vs. State of Bihar)

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In the Court of District and Addl. Sessions Judge, Biraul, Darbhanga

BP No. 103 of 2026

In the matter of :-

1. Amarjeet Mallik, Son of Late Dular Chandra Mallik
2. Kusheshwar Mallik, Son of Dular Chandra Mallik

.....Petitioners.

Vs.

3. The State of Bihar

.....Opposite Party.

For the petitioner:- Sri Ram Mohan Jha, Ld. Advocate.

For the O.P.(State):- Sri Bachha Rai, Ld. APP.

Order

09.06.2026 The present bail petition has been filed on behalf of the above-named petitioners, who are in judicial custody since 09.01.2026, in connection with Biraul PS case No. 19 of 2026, for the offences U/Ss 103(1), 238 of BNS, which is pending in the Court of Ld. ACJM, Biraul, Darbhanga.

Heard Sri Ram Mohan Jha the Ld. Counsel for the petitioners and Sri Bachha Rai Ld. Counsel for State.

The present case has been lodged on the basis of fardbeyan of informant namely Munni Devi. The case of the prosecution in brief is that the petitioners in connivance with other accused persons have hatched a conspiracy due to mutual enmity, murdered her son, and threw, his body on SH-17 road with the intention of hiding the corpse.

Ld. Counsel for the petitioner submits that the petitioners are quite innocent and they have not committed any offence. The petitioners have falsely been implicated in this false case. No such occurrence did ever taken place as alleged in the FIR. He submits that the present case has been lodged by the informant after a delay of 2 days. There is no eye witness to the occurrence. The petitioners have been implicated in this case due to enmity, malice, grudge of the informant. The petitioners are in judicial custody since 09.01.2026.

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The petitioners are ready to abide by all the conditions as imposed by the court. Therefore the present petition may be allowed.

On the other hand, Ld. Addl. P.P appearing on behalf of the State opposed the prayer for bail.

Upon considering the rival submissions and on perusal of the materials available on record this court finds that para 4 of the case diary mentions restatement of informant. Para 12 of the case diary mentions statement of accused Arun Mallik before police in which he has stated the names of petitioners as their crime partners. Para 14 of the case diary mentions seizure list from perusal whereof it appears that police has recovered one blood stained sharp edged knife from house of Amarjeet Mallik. Para 15 of the case diary mentions statement of Amarjeet Mallik before police in which he had admitted his involvement in the said incident. Para 34 of the case diary mentions post mortem report of deceased Rajendra Mallik from perusal whereof it appears that injuries were antemortem and injury No 2, 3 and 4 were caused by sharp cutting pointed weapon and were grievous and dangerous to life ordinary course of nature. Injury No. 5 was caused was sharp cutting weapon. Considering the discussions made above, nature of allegations leveled against the petitioners, seriousness and gravity of the offence as well as other facts and circumstances of the case this court does not feel inclined to grant bail to the petitioners. Accordingly the prayer for bail of the above-named petitioners is hereby **rejected**.

(Dictated)

(Shiv Kumar)

Addl. Sessions Judge, Biraul

09.06.2026