

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27062 of 2017

Arising Out of PS.Case No. -92 Year- 2014 Thana -DEORIYA District- MUZAFFARPUR

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Yogendra @ Yogendra Paswan @ Jogindra @ Jogindar Son of Late Kali
Paswan resident of village & P.S. Devariya, District Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha, Advocate

For the Opposite Party/s : Mr. Satyavarat Verma, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 07-08-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
01.03.2017 in connection with Devariya P.S. Case No. 92 of
2014 pending in the Court of learned Judicial Magistrate 1st
Class, Muzaffarpur registered for the offence punishable under
Section 302 of the Indian Penal Code and Section 27 of the
Arms Act.

The prosecution case, as lodged by the informant,
is that while his son, Binay Paswan was returning along with
his wife, Priti Devi after Bidai from her parental house, the
petitioner, who is father of the deceased, Priti Devi, hit both of



them by gun, as a result his daughter-in-law, Priti Devi succumbed to the injuries and his son died during course of treatment.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal antecedent and has been falsely implicated in the aforesaid case only on the basis of suspicion. He submits that no one has seen the occurrence and it is most improbable that the father will kill his daughter and son-in-law. It is further submitted that the fact was that his son-in-law was a drunkard and used to beat his daughter and there was scuffle between the informant and the petitioner's son-in-law in which both the daughter and son-in-law of the petitioner got injured and succumbed to the injuries. He further submits that charge sheet has already been submitted and there is no allegation of tampering with the prosecution witnesses by the petitioner.

However, learned A.P.P. for the State opposes the prayer for bail stating therein that the offence is of serious nature.

Considering the facts and circumstances and the materials on record, I am not inclined to grant the privilege of



bail to the petitioner at this stage. This application is, accordingly, rejected.

(Nilu Agrawal, J.)

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