

FIR No. 163 dated 19.08.2023.
Under Section : 379/411 IPC
Police Station : City-I, Abohar.

Present: Sh. R.S. Jossan, APP for the State.
Ms. Nidhi Beri, Advocate, for applicants/accused.

Heard on the bail application filed by accused/applicants Sunny Kumar @ Sanny and Ajay Kumar, wherein it was pleaded that accused are innocent and have been falsely implicated in the present case under political pressure. It has been further averred that applicants/accused belongs to noble families and having good reputation in their area. It has been further averred that applicants/accused will not misuse the concession of bail granted by the court. It has been further averred that they will appear on each and every date of hearing and will abide by the direction of the court. They are in judicial lock up since 19.08.2023. As such, learned counsel for accused/applicant has prayed for release of accused/applicant on bail.

Upon notice, learned APP for the State, appeared and opposed the bail application on the ground that accused has committed serious offence. As such prayer for dismissal of the present bail application has been made.

I have considered the contradictory versions of the contesting parties and have deliberated over the arguments advanced in the light of documents, peculiar facts and circumstances and submissions made.

Police record perused. Perusal of file reveals that accused is already in judicial custody since 19.08.2023 and was remanded to judicial custody on request of Prosecution itself. The recovery has already been effected. The presentation of challan and then conclusion of trial will take time. Criminality of accused if any is a matter of trial. It is cardinal principle of criminal jurisprudence that accused are presumed to be innocent, until period guilty. Thus, no useful purpose will be served by keeping the accused persons behind bars, rather it will be a burden on State Exchequer. Therefore, without commenting upon the merits of the case, accused/applicants above named are ordered to be released on bail, on furnishing bail bonds and surety bonds in the sum of Rs.

50,000/- with one surety each in the like amount, subject to following conditions:-

1. They shall not commit similar type of offence.
2. They shall not induce or threaten witnesses of the case and shall not tamper with evidence of the case. They shall not try to contact with complainant, without his consent.
3. They shall come present on each and every date.

Bail bonds and surety bonds not furnished. Present papers be attached with main file. Copy of this order be send to accused through concerned Jail Superintendent. Ahlmad is directed to put file after one month, if bail bonds are not furnished till then.

Pronounced in open Court :
Dated: 28.08.2023.
Vineet Behl,
Stenographer-II.

(Satish Kumar Sharma),
Sub Divisional Judicial Magistrate,
Abohar. PB0375.