

FIR No.26 dated 16.05.2018

U/S 61/1/14.

P.S. Amir Khas.

Present:- Sh.B.S.Mujedia Advocate counsel for accused/applicant
Pritam Singh alias Kaka.
Sh.Baljit Singh Kamboj, Ld.APP for the State.

1. This order of mine shall dispose of bail application of accused/applicant Pritam Singh alias Kaka in FIR No.26 dated 16.05.2018, under section 61/1/14.

2. Notice of the bail application was given to Ld.APP for the State.

3. Brief facts of the bail application are that accused Pritam Singh alias Kaka was failed to appear before this the court on 27.08.2021 due to misunderstanding of the fixed date of appearance. His absence was not intentional. Accused/applicant surrender himself before the Court on dated 22.10.2021. Since, then he is in judicial custody. Hence, this application.

4. Learned APP for the State has not filed any written reply to bail application but submitted his objection on the bail application orally.

5. Both the learned counsel for accused and Ld.APP for the State heard carefully and case file perused minutely. After perusing the file, it is found that on 24.09.2021 accused/applicant Pritam Singh alias Kaka was absented without prior permission of this Court and his bail order was cancelled and bail bonds and surety bonds were forfeited to the State. Nonailable warrants of arrest of accused issued. Nonailable warrants of accused/ applicant received back unexecuted and on 22.10.2021 accused/ applicant surrendered before this Court. He was taken into custody and sent for judicial custody till 02.11.2021.

6. From perusal of file it appears that absence of accused is not with any malafide intention. He was failed to appear before this Court due to misunderstanding of the fixed date of appearance and he himself surrendered before the Court. Earlier also he appears before the court on every fixed date of hearing. Therefore, taking into consideration conduct of accused during trial ,also as he himself surrendered before the court and in judicial custody for sufficient period since his surrender, this court have considered view that lenient view can be taken against him . Hence, bail application of accused /applicant Pritam Singh alias kaka is allowed and he is ordered to be released on bail subject to furnishing bail bonds of amount of Rs.50,000/- with one surety in the like amount. He is also directed to be careful in future and be comply with the following conditions;

-2- Bail application of accused Pritam Singh

- i) That he shall appear before this court on each and every date of hearing.
- ii) That the accused will not leave the country without the prior permission of the Court.
- iii) That the accused shall not commit an offence similar to the offence of which he is accused.
- iv) That the accused shall not directly or indirectly make any inducement or threat to any person acquainted with the facts of the present case.

Bail bonds and surety bonds not furnished. Papers be attached with the main file.

Date of Order:-28.10.2021.

(Vakeelan Bibi),PCS
Judicial Magistrate Ist Class,
Jalalabad(W).UID No.PB0649).