

In the Court of Sh.Jaspal Verma, Additional Sessions Judge, Mansa.
(UID No. PB0136)

Bail Application No. 134 of 6.03.2018
CIS No. BA/279/2018
CNR No. PBMN010007082018
Date of Order: 9.3.2018

Sunil Kumar aged about 45 years son of Amar Nath, resident of #194,
Guru Nanak Pura Mohalla, Rampura Phul, District Bathinda.

Accused/applicant.

Versus.

State of Punjab

Respondent.

FIR No.13 dated 28.2.2018
U/S 457,380 IPC
PS Joga, District Mansa.

First bail application for anticipatory bail
under Section 438 Cr.P.C.

Present: Sh.Vikram Singla, Adv. for the accused/applicant.
Sh.T.S.Sidhu, Addl.PP for the State.

ORDER

Present bail application has been filed by accused Sunil Kumar to release him on anticipatory bail in FIR No.13 dated 28.2.2018 under Section 457,380 IPC, PS Joga, District Mansa. The allegations as per the FIR are that Tarsem Chand complainant made a statement before the police that he is resident of Ward No.17, Mansa, near Jawaharke Road and his rice Sheller in the name of P.C.Rice Mill is located about 3 kilometers away on the link road leading from village Akliya to village

Rad. The government paddy of Pungrain Government Agency is lying in his sheller. On the intervening night of 25/26.01.2018, some unidentified persons have stolen 78 bags of rice from his sheller on some vehicle. On the intervening night of 28/29.01.2018 also, 72 bags of rice were stolen by some unknown persons from rice sheller of Shivji Ram Sadhu Ram located at village Bhupal on some vehicle. On the intervening night of 29/30.01.2018 also, 65 bags of rice were stolen by some unknown persons from rice sheller Jai Bhagwati Rice and General Mill of Pal Chand son of Madan Lal of village Ubha on some vehicle. They were trying to find out the whereabouts of said persons who had stolen the rice and now came to know that above said thefts on all the shellers have been committed by Gurcharan Ram, Ram Singh and Raja Singh with the help of 7/8 unknown persons with vehicle no. PB03AJ3501 and have sold the same in Rampura. On this information, they started keeping watch on their shellers and at about 12.20 AM, they heard some noise and saw that some persons were loading rice bags in a vehicle. When they went near them, they saw Gurcharan Ram, Ram Singh and Raja Singh alongwith 4/5 other persons loading rice bags in their vehicle. On seeing them, they ran away from the spot.

2. Notice of the bail application was issued, Addl.PP for the State appeared and the police record was also called which was produced by ASI Gurtej Singh from PS Joga, District Mansa and perused.

3. The present bail application has been filed by the accused Sunil Kumar in this case bearing FIR No.13 dated 28.2.2018 under Section 457,380 of IPC, PS Joga, District Mansa, to release him on

anticipatory bail under the provisions of Section 438 Cr.P.C on the ground that he is innocent and has been falsely implicated by the police in this case and so he be released on anticipatory bail. The perusal of copy of FIR as well as police file shows that though the name of the present accused Sunil Kumar has not been specifically mentioned in the FIR having behind the theft committed by the other accused after sunset in the rice sheller of the complainant, but his name has surfaced during investigation. The said articles i.e rice bags are yet to be recovered completely and therefore, in my view the custodial investigation is required in this case. So there is no ground is made out to release the accused Sunil Kumar on anticipatory bail in this case. The bail application filed on behalf of accused Sunil Kumar is dismissed. Police record be returned. File be consigned to record room.

Announced.
9.3.2018.

(Jaspal Verma)
Additional Sessions Judge,
Mansa. (UID No. PB0136)

State vs Sunil Kumar

Present: Sh.Vikram Singla, Adv. for the accused/applicant.
Sh.T.S.Sidhu, Addl.PP for the State.

Police record produced by ASI Gurtej Singh from PS Joga,
District Mansa.Arguments heard. Vide my separate order of even date, the
bail application is dismissed. File be consigned to the record room.

Announced.
9.3.2018.

(Jaspal Verma)
Additional Sessions Judge,
Mansa. (UID No. PB0136)