

State vs. Ramesh Kumar BA-106-2022

Present: Sh. Manjit Singh Khurmi, Adv. Counsel for applicant.

Police record perused. Counsel for applicant/accused Ramesh Kumar filed an application for bail in the present case FIR No. 42 dated 20.02.2022 under Section 454,380,411 1P.C. PS City Sunam. Notice of the application had been issued to the State, which is fixed for today.

The learned counsel for applicant/accused argued that applicant is innocent and has been falsely implicated in this case. He is in judicial custody. Challan has already been presented in the present case. No useful purpose would be served by detaining the accused in custody for indefinite period. Applicant/accused undertake to abide the conditions imposed by the Court and he undertakes to appear on each and every date of hearing. Hence, he prayed that present bail be accepted.

On the other hand the learned APP for the State argued that accused/applicant has committed serious offence. He further opposed the present bail application and prayed for dismissal of the present bail application.

After hearing the rival contentions of learned counsel for the accused as well as of learned APP for the State and after going through the file very minutely, this Court is of the view that accused/applicant is in judicial custody. No useful purpose would be served by retaining the accused behind the bars, rather it will be expenditure to State. Keeping in view all the aspects, accused is ordered to be released on bail, on furnishing bail bonds in the sum of Rs. 45,000/- with one surety in the like amount and subject to fulfillment of following conditions.

1. that accused shall attend the court proceedings on each and every date of hearing and shall not absented himself;
2. that accused shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected;
3. that accused shall not leave the Country without the permission of the court;
4. and that accused shall not directly or indirectly make any inducement,

threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or tamper with the prosecution evidence.

5. That in case of change of address of accused and surety, it shall be immediately intimated to the court. Papers be attached with the main file.

Bail bonds and surety bonds furnished, which are attested and accepted. Release warrants of accused be issued immediately. Papers be attached with the main file.

Date: 19.05.2022.

(Amandeep Kaur)
SDJM/Sunam,
(UIDNo.PB0307).

Beant Kaur ,
Stenographer-III.