

State Vs. Rahul Kumar BA-107-2023
CNR.No.PBPTA1-001933-2023

Present : Additional Public Prosecutor for the State.
Sh.Sunil Pabreja Advocate counsel for applicant/accused.

Arguments on bail application heard. Record perused. Accused/ applicant has filed the present bail application on the ground that he misunderstood that his case was over and he could not attend the court and went of of station. Consequently, he was declared proclaimed offender vide order dated 01.03.2023. It is alleged that his absence was not intentional but due to above said reason. He further undertakes to appear before the court on each and every date of hearing and requested for allowing the present application.

2. Perusal of record shows that accused was declared proclaimed person vide order dated 01.03.2023. Further perusal of record shows that accused was arrested in this case on 02.06.2023 and was produced before this court on 02.06.2023 and he was remanded to Judicial custody for 16.06.2023. Accused has been involved for committing of offence under Section 13/3/67 of Public Gambling Act, which is bailable offence. Accused must have learnt a lesson for absenting himself from the court proceedings. There is nothing on record to show that accused is habitual offender or would violate the liberty of bail in future. No useful purpose will be served by keeping the accused behind bars for indefinite period. Completion of trial would certainly take considerable time, moreover, bail is the rule and jail is exception. So, therefore, in view of discussion made above, bail application of accused/ applicant stand allowed subject to furnishing of bail bonds in the sum of Rs.60,000/- with one surety in the like amount. During the period of the bail the accused will remain bound by the following conditions:-

1. Accused will not make any attempt to contact any of the prosecution witnesses, directly or through any other person, or in any other way try to temper with the evidence or influence any witness in this case or any other case against him or any other crime under investigation by any government agency.
2. Accused will co-operate in the early completion of the trial and shall attend the hearings unless exempted.

3. Accused will intimate the place of his residence and will not change the same without prior intimation to the respondent of his intention to shift elsewhere.
3. Requisite bail bonds and surety bonds not furnished. Papers be attached with the main case file.

Date of Order: 09.06.2023

Rajesh-JW

(Hirdejit Singh, PCS)
Sub Divisional Judicial Magistrate
Rajpura-UID:PB00328