

**In the Court of Shri Shatin Goyal, Additional Sessions Judge,
Sangrur. UID NO. PB-0157.**

Bail application No. 237 of 25.01.2018.
Computer ID No.....237/2018.
CNR No. PBSG01-000722-2018.
Date of decision:.....01.02.2018.

Shehbaz alias Sahibaz aged 19 years son of Dilwar Khan resident of H.
No. 1425, Chand Colony Malerkotla.

.....applicant/accused.

Versus

State of Punjab

FIR no. 97 of 05.10.2016.
Under sections: 379/411 IPC.
Police Station: Sadar Ahmedgarh.

Bail application under section 439 Cr.P.C.

Present: Shri Ajay Aggarwal Adv for the applicant.
Shri R.S.Mander Addl.P. P for the State.

ORDER:-

1. Heard on the regular bail application under section 439 Cr.P.C moved by applicant. Accused/applicant is in custody for the last about 21 days in FIR under section 379 IPC as complainant got recorded his statement on 04.10.2016 that his motorcycle has been stolen on 01.10.2016. On 13.07.2017 accused/applicant was named by co-accused Feroj Khan from whom motorcycle was recovered being one of the co-accused in the case.
2. Counsel for the accused/applicant however claimed that no

recovery from him has been made. FIR is against unknown person.

Statement of accused has no relevancy.

3. After considering the rival submissions, this court is of the opinion that accused/applicant is in custody for the last about 21 days. No purpose will be served by keeping the accused in custody. It is settled law that bail is a rule and custody is an exception. Accused/applicant cannot be punished beforehand as alleged facts are yet to withstand scrutiny of trial. In such circumstances, he is ordered to be released on bail on furnishing bail bonds in the sum of Rs. 1,00,000/- with one surety in the like amount before the Ilqa Magistrate/Duty Magistrate on following conditions:-

1. That he will appear in the learned trial Court on each and every date of hearing.
 2. That he will not leave the country without prior permission of the learned trial Court.
 3. That he will not try to interfere with the investigation or influence the witnesses in any manner.
 4. Further, in case, accused/applicant do not attend the trial regularly, trial Court shall be competent to cancel the bail orders and bail bonds to its discretion.
4. Nothing observed herein shall have any bearing upon merits of the case and confines its effect only to the disposal of instant application. File be consigned to record room.

Announced in open Court.

Dated: 01.02.2018.

(Shama JW-II).

(Shatin Goyal)
Addl. Sessions Judge,
Sangrur. UID no. PB-0157.