

IN THE COURT OF SH. AMAR PAUL, ADDITIONAL SESSIONS
JUDGE, GURDASPUR. (UID NO.PB0450).

CNR No.PBGD01-004851-2021

CIS No. BA-2329-2021

Bail Application No. 605 of 23.07.2021
Date of Order 27.07.2021.

Rakesh Masih @ Rakesh Gill son of Shinda Masih, resident of village
Arli Bhan, Tehsil Batala, District Gurdaspur.

Versus

State of Punjab.

.....Accused/Applicant.

.....Respondent.

FIR No.0015 dated 13.03.2021

Under Section 61-1-14 The Punjab Excise Act.

P.S. Kotli Surat Malhi.

First Bail Application under section 438 of Cr.P.C.

Present:Sh. Baljinder Singh Bangowani, Advocate, for accused/applicant.
Sh. K.S. Gill, Addl. Public Prosecutor for State.

ORDER

1. Applicant has sought anticipatory bail under section 438 Cr.P.C. on the ground that he has been falsely implicated in this case on the basis of secret information and recovery in this case has already been effected and he is ready to join the investigation by cooperating the police. Accordingly, prayed for bail.

2. Notice of the bail application was given to the Additional PP for the State who appeared on behalf of the State and opposed the bail application.

3. Police record was called which has been received and perused.

4. Heard. Considered. In this case FIR has been registered against the applicant on dated 13.03.2021 on the basis of secret information that applicant is habitual of selling illicit liquor or lahan and on raid at his house he may be apprehended. Accordingly, raid was conducted. Then applicant ran away from the spot on seeing the police party. On checking one Cane plastic containing 20 bottles of illicit liquor were recovered which were taken into police possession.

5. Recovery in this case has already been effected. Applicant is ready to join the investigation by cooperating the police. There is nothing on record that applicant is previous convict of similar offence. Role and liability of the applicant will be seen during trial. Hence, in these circumstances, at this stage, applicant is directed to join the investigation with the Arresting Officer till 30.07.2021 and on doing so, the Arresting Officer shall release him on interim anticipatory bail subject to the conditions laid down under section 438(2) Cr. P.C. to its satisfaction. Now to come up on 30.07.2021 for consideration on bail application on merits and police record be also produced on the date fixed.

Pronounced in open court
Dated: 27.07.2021
Shiv Kumar Stenographer Gr.1

(Amar Paul),
Additional Sessions Judge,
Gurdaspur. UID No. PB0450.