

**In the Court of Shri Shiv Mohan Garg, UID No.PB0164,
Addl. Sessions Judge, Amritsar.**

B.A.No. : 15 of 2019
CNR No. : PBAS010003702019
CIS No. : BA/141/2019
Date of Institution : 07.01.2019
Date of Order. : 11.01.2019

S T A T E
vs.

1. Anil Gupta s/o Kamta Parshad @ Kanta Parshad r/o Prem Nagar, Amritsar.
2. Pawan Kumar s/o Tirath Raj, r/o Gali no.11, Prem Nagar, Near Office of Dharampal property Dealer, Amritsar.

FIR no.2153 dt.26.12.2018
U/s 136/137 of Electricity Act.
P.S. Anti Power Theft Verka, Amritsar.
Ist Bail application u/s 439 Cr.P.C.

Present : Shri Narinder Kumar, Advocate, counsel for the applicants.
Shri Shivraj Singh Sran, Additional PP for the State.

O R D E R

1. Arguments heard on the bail application filed by Anil Gupta and Pawan Kumar under section 439 Cr.P.C. for grant of bail. Notice of this bail application was given to Additional PP for the State who appeared and contested it.
2. As per the prosecution version SDO Neeraj Sharma reported to the police that when he along with Lineman Gaurav Kumar was present at Sunder Nagar, Street no.2, Kot Khalsa, Amritsar he got information that two persons who committed theft of copper wire and electric meter are held with the help of some persons of the area. So, matter was reported to the police and they were arrested on 26.12.2018. FIR was registered.

3. It is argued that applicants are innocent and falsely implicated in this case and they are in judicial custody from a long period. Nothing is recovered from their possession. So, it is prayed that the applicants be released on bail. They will abide by the terms and conditions of bail order if released on bail.

4. Whereas learned Addl. PP opposed the bail application.

5. Heard. Record perused. The applicants are in judicial custody since 26.12.2018. Conclusion of investigation and presentation of challan and trial will take time. Recovery has already been effected. So, in view of the facts and circumstances applicants are ordered to be released on bail on his furnishing personal bonds/surety bonds to the satisfaction of illaqa/duty magistrate subject to following conditions :

1. That the applicants will not leave the country without prior permission of the Court.
2. That the applicants will not threat/intimidate the prosecution witnesses.
3. That the applicants will appear on each and every date of hearing to be fixed in the trial unless exempted.

6. Anything observed herein will have no effect on the merits of the case.

Record of bail application be consigned to the record room.

(Shiv Mohan Garg)
Addl. Sessions Judge, ASR.
UID No.PB0164

Date of order:11.01.2019
(Ramesh Kumar)Stenographer-II