

**IN THE COURT OF SH.JASPAL VERMA,
ADDL SESSIONS JUDGE, MANSA.
(UID:PB0136)**

Bail application No.634 dated 29.10.2018
CIS No. BA/1418/2018
CNR No.PBMN01-003585-2018
Date of Order: 03.11.2018

Suba Singh aged about 45 years son of Kailla Singh son of Ginder Singh
resident of village Alisher.

Applicant-accused.

Versus

State of Punjab

FIR No.79 dated 24.10.2018,
U/S 61/1/14 of Punjab Excise Act,
PS Joga, District Mansa.

Application for grant of bail under Section 438 Cr.P.C.

Present: Sh.A.S.Kaler, Advocate, for applicant-accused.
Sh.Tejinder Singh Sidhu, Addl. PP for respondent/State.

ORDER

1. Heard on the application for anticipatory bail moved by applicant/accuse in case bearing FIR No.79 dated 24.10.2018, U/s 61/1/14 of Punjab Excise Act, PS Joga, District Mansa, on the ground that he is innocent and has been falsely implicated in this case. He has not committed any offence as alleged by the police. The alleged recovery has already been effected and nothing is to be recovered from his possession. As such, his custodial interrogation is not required. He is having apprehension in his mind that he will be arrested by the police. So, he be granted anticipatory bail in this case.

2. Upon notice, application is opposed by Id. Addl. PP for the State on the ground that the allegations in the application are false. Applicant-accused cannot be granted anticipatory bail in this case because offence is very heinous in nature. The house of the accused was raided by the police on the basis of secret information. The applicant-accused was found distilling the illicit liquor by way of working still and on seeing the police party, he ran away from the spot. The working still was dismantled and cooled down and its articles were taken into police possession. From the spot 40-kg of lahan was also recovered. So, the allegations against the applicant/accused are serious in nature and he prayed that bail application be dismissed.

3. I have heard Id. counsel for the applicant-accused, Ld. Addl. PP for the State and have gone through the police file produced by HC Sukhwinder Singh from Police Station, Joga, District Mansa.

4. Present bail application for anticipatory bail has been filed by applicant-accused in case bearing FIR No.79 dated 24.10.2018, U/s 61/1/14 of Punjab Excise Act, registered against him at police station Joga, District Mansa, on the ground that he has been falsely implicated in this case by the police due to political rivalry and alleged recovery has already been effected. He is innocent and and therefore, he be granted anticipatory bail in this case. However, perusal of the file shows that applicant-accused has been specifically named in the FIR recorded in police station Joga, on 24.10.2018 on the basis of secret information and as per police record, applicant-accused was found distilling the illicit liquor by way of working still and on seeing the police party, he ran away

from the spot. From the spot, 40-Kg Lahan was also recovered. The allegations against the applicant-accused are serious in nature and origin from where applicant-accused had procured Lahan is also required to be traced. So, custodial interrogation of the applicant-accused is required. So, in my view, in these circumstances of the case, no ground is made out to release the applicant-accused on anticipatory bail under the provisions of section 438 Cr.P.C. Accordingly, present bail application stands dismissed. Police record be returned. Bail application be consigned to the record room.

Pronounced: 03.11.2018

Raj/SG-1

(Jaspal Verma)
Addl. Sessions Judge,
Mansa.
UID:PB0136

Suba Singh Vs. State

Present: Sh.A.S.Kaler, Advocate, for applicant-accused.
Sh.Tejinder Singh Sidhu, Addl. PP for respondent/State.

Police Record produced. Arguments heard. Vide my separate
detailed order of even date, present bail application is hereby dismissed.

Police record be returned. Bail application be consigned to the record
room.

Pronounced: 03.11.2018

Raj/SG-1

(Jaspal Verma)
Addl. Sessions Judge,
Mansa.
UID:PB0136