

**IN THE COURT OF SH.DINESH KUMAR,
ADDITIONAL SESSIONS JUDGE,
(UID:PB0445)
MANSA.**

Bail application No.468 dated 13.10.2020
CNR No.PBMN01-003377-2020
CIS No.BA/1476/2020
Date of Order:16.10.2020

Vijay Kumar age about 24 year son of Gandhi Ram resident of
Gurdwara Basti Jakhal Tehsil Tohana District Fatehabad.

Applicant-accused.

Versus

State of Punjab

FIR No.154 dated 07.10.2020,
U/s 61/1/14 78 (2) of The Punjab Excise Act, 1914,
PS Sadar Budhlada, District Mansa

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

Present: Sh.S.S.Mandran, Learned Advocate for applicant-accused.
Sh.P.S.Chahal, Learned Addl. PP for respondent/State

ORDER

Applicant/accused Vijay Kumar seeks anticipatory bail in
the present FIR registered against him at police station Sadar Budhlada,
District Mansa.

2. Brief facts of the case are that on receipt of secret
information, investigating officer laid barricading on Jakhal-Datewas
main road. At that time, a Swift car bearing No.HR-06X-7333 was
spotted. The driver of the car managed to flee from the spot. On search
of the car 168 bottles of country made liquor make Sahi distilled in
Haryana distillery were recovered. It is the case of the police that the
registration of the aforesaid car stands in the name of the

applicant/accused. Therefore, he was nominated in the present case. Apprehending his arrest, applicant/accused has filed the present bail application.

3. Sh.S.S.Mandran Advocate, learned counsel for the applicant/accused has argued that applicant has been falsely implicated in the present case. He further argued that recovery has been effected and custodial interrogation of accused is not required. He further argued that applicant is ready to join the investigation and he will co-operate with the police. With these submissions, it has been prayed that the applicant/accused be granted anticipatory bail.

4. Per contra, Sh.P.S.Chahal, Learned Addl. PP for State has argued that 168 bottles of country made liquor were recovered from the car of the applicant. He managed to flee from the spot. Custodial interrogation of the applicant/accused is required. With these submissions, he prayed for dismissal of the present bail application.

5. I have heard the rival contentions of both sides and perused the record carefully.

6. Allegedly, 168 bottles of country made liquor distilled in Haryana distillery were recovered from the car bearing no. HR-06X-7333. Learned counsel for the applicant/accused has not denied that aforesaid car stands in the name of the applicant. There is no explanation in which manner the aforesaid car came in the possession of the police. Learned counsel for the applicant has submitted that the friend of the applicant took car from the applicant and police planted the aforesaid liquor in the car. The explanation put forth by the applicant does not

appear to be plausible at this stage. Therefore, custodial interrogation of applicant/accused is required for ascertaining modus operandi of the accused and identity of other persons involved with the accused in smuggling of liquor in the State of Punjab. Accordingly, present bail application stands dismissed. Police record be returned Bail application be consigned to the record room.

Pronounced:16.10.2020

(Dinesh Kumar),
Addl. Sessions Judge,
UID:PB0445
Mansa.

Vijay Kumar Vs. State.

Present: Sh.S.S.Mandran, Learned Advocate for applicant-accused.
Sh.P.S.Chahal, Learned Addl. PP for respondent/State

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:16.10.2020

(Dinesh Kumar),
Addl. Sessions Judge,
UID:PB0445
Mansa.