

**In the court of Mrs.Anjana, Additional Sessions Judge,
Moga. (UID No.PB0448)**

BA No.268 dated 06.08.2020
CIS No.BA/1477/2020
CNR No.PBMO010031022020
Date of order :- 13.08.2020

State of Punjab

Versus

Budh Singh alias Budhu son of Diyal Singh resident of village Salempura,
District Ludhiana.

....Accused/Applicant

FIR No.66 dated 02.08.2020,
U/s 61/1/14 Excise Act,
P.S. Ajitwal.

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Bail Application under section 438 Cr.PC.

Present: Sh.A.S.Grewal Advocate for applicant/accused
Mrs. Gunwantjit Manesh Addl.PP for the State

ORDER

1. Virtual court room set up through Vidyio App. Learned Addl.PP for State is online from her office. This order of mine shall dispose of bail application under section 438 Cr.P.C for grant of anticipatory bail, in case FIR No.66 dated 02.08.2020, U/s 61/1/14 of Excise Act registered at P.S. Ajitwal.
2. Notice of the bail application was issued to State and Mrs. Gunwantjit Manesh Additional Public Prosecutor appeared through video conference. IO is present through video conference while sitting in police station. Relevant record perused through video conference.
3. Learned counsel for accused/applicant has contended that a false case has been registered against accused/applicant as he has not committed any offence as alleged in the FIR. No recovery has been effected from the accused/applicant. The accused/applicant is apprehending his unlawful arrest and torture at the hands of local police. Accused/applicant is ready to join the

investigation as and when required by the police and moreover, his custodial interrogation is not required. Lastly, prayer has been made for acceptance of bail application.

4. On the other hand, learned Addl. P.P. for the State has opposed the bail application on the ground of gravity of offence and prayer has been made for dismissal of the bail application.

5. After giving my careful and thoughtful consideration to the rival contentions and on careful perusal of averments of application, contents of FIR coupled with the duly assistance rendered, the Court is of the considered view that present bail application merits acceptance and applicant is entitled to interim anticipatory bail. As per statement of HC Gurdev Singh got recorded through video conference, recovery of 20 bottles of illicit liquor has been effected from the motorcycle being driven by the accused and he had managed to escape from the spot. Since, the recovery has already been effected in the present case, as such, the custodial interrogation of the accused/applicant is not required. Therefore, the present bail application is allowed and this court is of the opinion that ends of justice shall be met in case applicant is directed to join the investigation within seven days and assist the investigating officer/S.H.O. of concerned police station as and when called. Upon his doing so, the applicant shall be released on interim bail on furnishing personal bond to the satisfaction of I.O./SHO. The applicant shall comply with the provisions of section 438 (2) Cr.P.C.

Now to come upon 24.08.2020 for awaiting police report.

Pronounced.
13.08.2020.
(Sunny Stenographer II)

(Anjana),
Addl Sessions Judge,
Moga. **(UID No.PB0448)**