

FIR No. 99 of 29.05.2023
Under Section : 61/1/14 Excise Act.
Police Station : City-I, Abohar.

Present: Sh. RS Jossan, APP for the State.
Accused Vijay Singh @ Raju in custody represented by
Sh. H.R. Bishnoi, Advocate.

Today accused Vijay Singh @ Raju produced before me being
Illaqa Magistrate and an application for judicial remand of above named
accused for 14 days also presented. Police record perused.

Ld. Counsel for accused also moved bail application on the
behalf of accused Vijay Sing @ Raju. Notice of the same given to State
for today itself. No reply has been filed by Ld. APP for the State.

Heard on the bail application filed by accused/applicant Vijay Singh @
Raju, wherein it was pleaded that applicant/accused is innocent and has been
falsely implicated in the present case. It has been further averred that no recovery
has been effected from applicant/accused at the spot. As such, learned counsel
for accused/applicant has prayed for release of accused/applicant on bail.

Upon notice, learned APP for the State, appeared and opposed the bail
application on the ground that accused has committed serious offence. As such
prayer for dismissal of the present bail application has been made.

I have considered the contradictory versions of the contesting parties
and have deliberated over the arguments advanced in the light of documents,
peculiar facts and circumstances and submissions made.

Police record perused. Perusal of file reveals that accused was arrested
by the police on 29.05.2023 and recovery has already been effected. The
presentation of challan and then conclusion of trial will take time. Criminality of
accused if any is a matter of trial. It is cardinal principle of criminal
jurisprudence that accused is presumed to be innocent, until period guilty. Thus,

no useful purpose will be served by keeping the accused behind bars, rather it will be a burden on State Exchequer. As such, the present bail application is hereby allowed and accused Vijay Singh @ Raju is ordered to be released on bail on furnishing bail bonds in the sum of Rs. 50,000/- with one surety in the like amount for offences under sections 61/1/14 Excise Act subject to following conditions:-

- 1) He shall not commit similar type of offence.
- 2) He shall not induce or threaten witnesses of the case and shall not tamper with evidence of the case.
- 3) He shall come present on each and every date.

Bail bonds and surety bonds furnished, which are accepted and attested.

Accused is ordered to be released from custody. Papers be tagged with the main file.

Pronounced in open Court :
Dated: 30.05.2023.
Vineet Behl,
Stenographer-II.

(Satish Kumar Sharma) PCS,
Sub Divisional Judicial Magistrate,
Abohar. PB0375.