

BA-196 of 2019

CNR No. PBPO010012022019

FIR No. 32 dated 07.04.2019

Under Section 61-1-14 of Punjab Excise Act

PS Division no.2, Pathankot

Ashok Kumar vs State

Present:- Mr. Amit Saini Advocate counsel for applicant/ accused
Ms. Ambica Gupta Additional Public Prosecutor for the State

1. My this order will dispose of an application under section 438 of the CrPC submitted by applicant/ accused Ashok Kumar son of Mohan Lal.

2. Notice of the bail application is given to the State.

4. Vide order dated 22.04.2019 the interim bail was granted to the applicant/ accused.

3. I have heard learned Additional Public Prosecutor for the State and learned counsel for the applicant/ accused.

4. Learned Additional Public Prosecutor for the State contested the bail application.

5. On the other hand learned counsel for the accused/ applicant argued that ASI Ramesh Kumar suffered statement that accused/applicant Ashok Kumar is also known as Subash and he has joined the investigation and is not required for further investigation. The interim bail already granted be made absolute.

6. From the submissions of learned counsel for the applicant/

accused, learned Additional Public prosecutor for the State and perusal of the file, it is clear that 96 bottles of liquor were recovered from the possession of Dheeraj and said Dheeraj stated that the liquor belong to Kishore Kumar and Subash. Kishore Kumar is in custody. It is debatable issue whether applicant placed the liquor in the Auto of Dheeraj or not. As per statement made by ASI Ramesh Kumar, accused/ applicant Ashok Kumar is also known as Subash and he has joined the investigation and is not required for further custodial interrogation

7. In view of the above said circumstances, the interim bail order dated 22.04.2019 is made absolute subject to the same conditions as reflected therein. Copy of this order be sent to the SHO PS concerned for information. Bail application file be consigned to the records.

(Avtar Singh),
Additional Sessions Judge, Pathankot
UID No-PB0086

Date of Order: 14.05.2019
(Sawtanter Kumar)
Stenographer-II