

A3 produced from J.C.

A1 and A2 absent.

Order on bail application of Accused No.3:

As already heard arguments for the counsel and the learned PP for the State who has filed objections to the bail application of A3 in detail. Whereas in this case the counsel filed bail application under Sec. 439 of Cr.P.C for A3 and contending that the accused was already been released on bail by executing bond during crime stage, but due to non presence of the accused NBW have been issued against him. Since from the apprehending by the police the accused is in Judicial custody. The absence of the accused was bonafide and it is not intentional. Therefore the counsel is praying for considering the bail application of A3 as the accused is ready to abide any terms and conditions imposed by this Court while granting bail to him.

On the other hand the learned PP who has filed objections to the bail application in detail based upon the averments of the complaint and also other materials which were collected by the IO during the course of investigation and also there was a role made by the accused to commission of offence. Moreover the accused was absent, therefore the court has issued NBW against him for securrence. As such the accused is not deserving for bail. Hence, considering the statement of objections and reject the bail application of A3.

Therefore, keeping in view of the contentions taken by the counsel and also the objections filed by the learned PP, it is necessary to states that considering the reasons made out in the bail application of A3 as wherein the accused was already been

released on bail during crime stage by imposing certain conditions as specified therein which find place in the record by executing bond in a sum of Rs.50,000. Therefore the present bail application of A3 is hereby considered keeping in view of the materials available on record, consisting the statement of the witnesses and also Mahazars as conducted by IO.

The bail application is considered for the following conditions:

1. A3 shall execute the bond in a sum of Rs.50,000/- with like sum surety to the satisfaction of the concerned court of law.
2. A3 shall appear before the court of law on all the dates of hearing without fail.

Call for to furnish surety of A3 and re-issue NBW against A1 and A2, by 17.12.2015.

Remand of A3 is extended.

Prl. City Civil & Sessions Judge,
Bengaluru.