

Case called out.

Accused No.4 and 5 are present.

Accused No.1 is produced from J.C through V.C from the Jamkhandi Jail. The J.C of the accused is extended till next date of hearing.

ORDERS ON BAIL APPLICATION

FILED U/s 437 of Cr.P.C.

The offences alleged the accused No.1 are punishable U/s 454 and 380 of IPC. The said offences are non bailable in nature but not exclusively punishable with death or imprisonment for life. The offences alleged is triable by this court. The apprehension of the prosecution may be safeguarded by imposing strict condition. If the accused No.1 is kept in Judicial Custody no purpose would be served.

The Honble Apex Court in ruling reported(2012) 1 SCC 40 between Sanjay Chandra V/s CBI after considering its earlier landmark judgments was pleased to hold that, the bail is the rule and jail is the exception and it was also held that, the court while granting bail shall protect the right of the accused under article 21 of constitution. Hence looking to the facts and circumstances of the case and by considering the well settled position of law in above said ruling with respect to bail, I hold that the accused No.1 is entitled for bail.

Accordingly I proceed to pass the following.

::ORDER::

The bail application filed on behalf of the accused No.1 U/s 437 of Cr.P.C is allowed. The accused No.1 shall execute personal bond of Rs.20,000/- with one surety for like sum subject to following conditions.

1. He shall not repeat the offence.
2. He shall not indulge in any criminal activities.
3. He shall appear before the court regularly.
4. He shall not tamper and hamper with the prosecution witnesses.
5. He shall not leave the jurisdiction of the court without previous permission of this court.

Sri.SSJ advocate files surety affidavit alongwith copy of RTC extract of R.S.No.29/1A measuring 02 acres 07 guntas situated at Rugi Village, Tq.Mudhol and copy of I.D card.

One surety Sri.Ramanna Choudari, Age.59 years, Occ: Agriculture, R/o. Mudhol, Tq.Mudhol is present. He knows the accused No.1 and is ready and willing to stand as surety for accused No.1. Perused the documents, Satisfied. Surety accepted.

Accused No.1 and surety to give bond of Rs.20,000/- .
Issue release intimation to the jail authorities.

Accused may be released on bail if not required in any other case.

Re issue B/W to CW6, 12,14 and W/S to CW16 and 17.

For evidence.

Call on 20-05-2026.

Sd/-

PCJ & JMFC., Mudhol