

The present application filed under section.480 of BNSS, praying to enlarge the accused on bail for offense P/u/s.32 & 34 of KE Act.

2. In the bail application, it is contended that the accused is innocent and not committed any offences as alleged, he is not an influential person to tamper the prosecution witness and ready to abide by the conditions imposed by this Court. Accused also undertakes to appear before the Court whenever directed to do so. With these averments it is prayed for enlarging the accused on bail.

3. Learned A.P.P has filed objections to the bail application contending that the accused has committed the offences P/u/s.32 & 34 of KE Act. The offenses committed by the accused are non-bailable in nature. If accused is enlarged on bail there are chances of remaining absconded and repeating similar offences, besides threatening the prosecution witnesses and tampering with the prosecution material. On these grounds, learned A.P.P has prayed for rejection of the bail application.

4. Heard learned counsel for accused as well as learned A.P.P. Perused the bail application, objections of learned A.P.P and materials available on record.

5. The following points arise for my consideration.

1) Whether accused is entitled for bail?

2) What order?

6. The answers of this Court on the above points are as hereunder.

Point No.1: In the affirmative.

Point No.2: As per final Order for the following:

REASONS

7. Point No.1: On perusal of materials on record, it is evident that the offences alleged against the accused is punishable P/u/s.32 & 34 of KE Act. Though the alleged offense is non-bailable in nature, but the said offences are not punishable either with death or imprisonment for life. The said offences are triable by this Court only. Hence, having regard to the nature and gravity of the offences alleged against the accused, this Court is of consideration that there should not be any legal hurdle to enlarge the accused on bail, as no purpose would be served in detaining the accused in judicial custody till the disposal of this case. Therefore, this Court considers to release the accused on bail by imposing conditions so as to safeguard the apprehensions of prosecution. Hence, Point No.1 is answered in the '**Affirmative**'.

8. Point No.2: In view of the discussion made on Point No.1, this Court proceed to pass the following:

ORDER

Accused is released on bail subject to following conditions.

CONDITIONS

- 1) Accused shall execute a personal bond for a sum of Rs.50,000/- with one surety for likesum.

- 2) Accused shall not commit similar offences in future.
- 3) Accused shall appear before this Court on all the dates of hearing regularly, without fail.
- 4) Accused shall not threaten the prosecution witnesses or tamper with the prosecution material;

For furnish surety:

Sd/-
**Addl. Civil Judge and J.M.F.C,
Mudigere.**