

## **ORDERS ON BAIL APPLICATION**

Accused is in JC. He has filed the bail application under Section 480 of BNSS., seeking for his release on bail in the above case for the alleged offence P/U/S 505(2) of IPC.

**2.** It is contended that the accused is innocent of the alleged offence and he has not committed any offence. It is further contended that there are no grounds to believe that the accused has committed the alleged offence. He is not an influential persons who could tamper the prosecution witness. He is ready to furnish surety for his appearance before the court and further undertakes to appear before the Court whenever directed to do so and undertakes to abide by all the terms and conditions to be imposed by this Court.

**3.** On the other hand learned A.P.P has filed her objections wherein it is stated that the accused has committed non bailable offense, and the same is prima-facie made out. If the accused is enlarged on bail, he may absconded and repeat similar offence, besides threatening the prosecution witnesses and tampering with the prosecution material, thereby hampering trial of this case. Hence, on these grounds, the learned A.P.P has prayed for rejection of the bail application.

**4.** Heard the 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.** My answers to 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:** Materials available on record at this stage would disclose that the offence alleged against the accused is punishable U/Sec.505(2) of IPC and the accused is in JC from 03.02.2026. Though the alleged offence are non-bailable in nature, but the said offence are not punishable either with death or imprisonment for life and also the offence are triable by this Court only. The accused has further undertook to abide by the conditions imposed by this Court. Further, charge sheet has already been submitted against the accused. Thus, having regard to the nature and gravity of the offence alleged against the accused as well as keeping in view the apprehension of the prosecution, this Court is of consideration to release the accused as the apprehension of the prosecution could be safeguarded by imposing stringent conditions on the

accused and that the further custody of accused in JC is not necessary. Hence, Point is answered in the **Affirmative.**

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

**ORDER**

Bail application filed by the accused under Section 480 of BNSS, is hereby allowed. Accused is released on bail subject to the following conditions.

**CONDITIONS**

- 1) Accused shall execute personal bond for a sum of Rs.1,00,000/- and furnish one local surety for likesum.
- 2) He shall not commit any offence in future and shall appear before this court on all hearing dates regularly, without fail.
- 3) He shall not threaten or influence the prosecution witnesses or tamper with the prosecution material.
- 4) Violation of any of the above terms shall render in cancellation of bail without further reference;

Sd/-

**C/c Prl. Civil Judge and J.M.F.C,  
Mudigere.**

**Surety for accused:**

Surety by name Sri.Girish Gowda, aged about 70 Years, S/o Rudregowda, R/o. Halase Village, Kasaba Hobli, Mudigere Taluk, is present and produced copy of RTC pertaining to land in Sy.No.196/2, measuring to an extent of 1.27 guntas of Mudigere Village, Kasaba Hobli, Mudigere Taluk.

Surety has produced affidavit, declaration and copy of Aadhaar card and offered to stand as surety for the accused. Perused, satisfied, surety is accepted.

Office to take bonds and issue intimation to the Jail Authority for the release of accused.

Call on hearing date.

Sd/-

**C/c Pri. Civil Judge and J.M.F.C,  
Mudigere.**