

Accused present. Sri.HGA Adv., files bail application under section 436 of Cr.P.C along with surety affidavit, declaration, RTC extract, xerox copy of the Aadhaar card and application under section 70(2) of Cr.P.C.

The learned counsel for the complainant submits that the bail application may be allowed.

Heard and perused the materials made available on record.

The offence alleged against accused under Section 138 of N.I Act which is bailable in nature. Further, accused is ready to furnish the sufficient surety to the satisfaction of this Court. Hence, this Court come conclusion that the accused is entitled for an order of bail at this stage. Accordingly, this Court proceed to pass the following:

ORDER

The bail application filed by the accused under section 436 of Cr.P.C is hereby allowed on subject to following conditions:-

1. Accused shall execute a personal bond for a sum of ₹10,000/- with a surety for like sum.

2. Accused shall appear before the court on every date of hearing.

Sd/-

P.C.J & J.M.F.C., Mudigere.

Surety by name Sri.A.B.Manjunath S/o late A.M.Bairaiah, Aged about 44 years, R/o Anajur Village, Jannapura, Mudigere Taluk is present and expressed his ready and willingness to offer surety for accused.

Surety produced RTC extract bearing Sy.No.67, measuring to an extent of 4 acres 35 guntas, situated at Nidugodu Village, Gonibeedu Hobli, Mudigere Taluk and also produced xerox copy of Aadhaar card.

Perused, satisfied. Hence surety is accepted. Surety shall execute a bond.

Office is hereby directed to take bail bond and surety bond.

Perused the application filed under section 70(2) of Cr.P.C. It is satisfied with the reasons stated therein. Hence, same is allowed on penalty of Rs.200/-. Accordingly NBW issued against the accused is hereby canceled.

Sd/-

P.C.J & J.M.F.C., Mudigere.

Substance of accusation for the offence punishable under section 138 of N.I Act is framed and read over to the accused in the Kannada language known to him. Accused having understood the same, denied and claimed to be tried.

Sri.DKP Adv., files memo stating that sworn statement evidence of the PW1 may be treated as his examination in chief evidence.

Perused order sheet and materials on record. It is evident that the complainant has been examined as PW1 on 17.10.2023 and got marked at Ex.P1 to 5 on his behalf while adducing sworn statement. In view of the memo, the said evidence treated as examination in chief evidence of complainant.

Sri.HGA Adv., files application under section 145(2) of N.I Act. Heard, same is allowed and accused is permitted to cross examine the PW1. Accordingly case is posted for cross examination of PW1 by: 27.02.2024.

Sd/-

P.C.J and JMFC., Mudigere.