

Case called out. Summons duly served on Accused No.2,3 & 4. Called out present.

Learned Counsel Sri.P.K files vakalath for Accused No.2, 3 & 4 and further filed bail application under Section 480 of BNSS.

Learned APP present and filed objections to the bail application. Heard both sides.

ORDERS ON BAIL

Accused No.2,3 & 4 have filed the bail application under Section 480 of BNSS., with a prayer to enlarge them on bail.

2. In the application it is contented that they are daily wages labours. Further it is contended that they are innocent and have got valid and tenable defence. Further they have contended that they were on bail during the pendency of investigation. They are ready and willing to furnish surety and undertake to abide by the conditions that would be imposed upon them by this Court. Hence, they pray to allow the bail application.

3. Per contra learned APP has filed the objections in the bail application. The learned APP vehemently argued that if the Accused No.2, 3 & 4 are released on bail it would be difficult to secure their presence and there is also likelihood of tampering the prosecution evidence. As such prays to dismiss the bail application.

4. Heard the Learned Counsel appearing for Accused No.2, 3 & 4 and the Learned APP.

5. Having heard both sides and perusal of the materials on record, the sole point that would arise for my consideration is as under;

"Whether the Accused No. 2,3 & 4 are entitled for bail?"

6. My answer to it would be in the '**Affirmative**' for the following;

REASONS

7. Accused No.2, 3 & 4 are alleged to have committed offence punishable under Section 115(2), 117(2), 118(1) and 3(5) of BNS.

8. The alleged offence is no doubt non-bailable in nature but at the same time it is not punishable with death or imprisonment for life. The said offence are exclusively triable by this Court.

9. It is an undisputed fact that the I.O has concluded his investigation and has submitted the charge-sheet.

10. Accused No.2, 3 & 4 are ready to furnish surety and they have undertaken to abide by the conditions that would be imposed by this Court.

11. Accused No.2, 3 & 4 were not arrested during the investigation and they have appeared before the Court on service of summons.

12. It is well settled that bail is the rule and jail is an exception. Under the circumstances, I found no reason to refuse bail to Accused No.2, 3 & 4. In so far as the apprehension raised by the Prosecution is concerned, the same can be meted out by imposing stringent conditions. In the result, I answer the point raised for my consideration in the '**Affirmative**' and proceeds to pass the following -

ORDER

Application filed by Accused No.2, 3 & 4, under section 480 of BNSS is hereby allowed. They are enlarged on bail subject to the following -

CONDITIONS

1. The Accused No.2, 3 & 4 Shall execute a personal bond for a sum of Rs.25,000/- each with a surety for like sum; and
2. They shall appear before the Court on all hearing dates unless exempted and shall co-operate with the speedy disposal of the case; and

3. They shall not influence or intimidate witnesses or tamper with the evidence; and

4. They shall refrain themselves from indulging in any criminal activity of the like-nature; and

In case of breach of the bail conditions, the Prosecution shall be at liberty to apply for cancellation of the bail.

Surety For Accused No. 2, 3 & 4:

Surety by name Sri. A.S. Umarabba S/o Suleman Byari, aged about 61 years, R/o.Addagadde, Addagadde Post, Sringeri Taluk is present and furnishes E-Swattu pertaining to immovable property bearing No.150900600100100144 measuring 223 Sq. Ft, situated at Addagadde, Addagadde Village, Sringeri Taluk, along with his Adhar Card and the property worth Rs.20,00,000/- Perused and satisfied. Surety is accepted for Accused No.2, 3 & 4.

Office to take bond from Accused No.2, 3 & 4 and their surety. Copies of Police Report and other documents supplied to Accused as mandated U/Section 230 of B.N.S.S. Counsel for accused and submitted no H.B.C.

Issue NBW against Accused No.1 by 26-12-2025.

Sd/-
CJ and JMFC: Sringeri.