

The accused No.3 filed bail application U/s 437 of Cr.P.C. praying to enlarge on bail. In the bail application contended that though the offences alleged against the accused is punishable U/s 143, 147, 148, 323, 353, 332, 504, 506, 427 R/w 149 of IPC are non-bailable in nature, it is not punishable with the imprisonment or death sentence. The accused in his bail application submitted that he is law-abiding person and also breadwinner of his family. It is also stated that, he is ready to abide by the conditions that may be imposed by this court. Accordingly, prayed to allow the application.

Today the Learned A.P.P. is not available. Hence, objection taken as not filed.

Heard the argument on accused counsel.

The following point that arise for my consideration:

Point No.1: Whether the accused No.3 entitled to be release on bail?

My answer to the above point in the affirmative for the following

: REASONS :

Point No.1: I have gone through the application and objection filed by the both parties and records. Even though the alleged offences against the accused serious and non-bailable in nature, same are not punishable with the imprisonment for life. Moreover the accuse already obtained bail before Prl.District and Session Judge, at Hassan in Crl.Mis.Pten.No.353/3016 dated 21/04/2016 and also the offence against accused are exclusively triable by this court. On the other hand the apprehension of the prosecution can be meted out by imposing condition, while granting bail. Accordingly in the interest of justice, I proceed to pass the following:

: ORDER :

The bail application filed by the accused No.3 U/s 437 of CrPC is hereby allowed.

The accused No.3 is enlarged on bail subject to following

CONDITIONS.

1. The accused shall execute P.B of Rs.25,000/- with one surety for likesum with
2. Accused shall not tamper with the prosecution witnesses.
4. Accused shall not commit any similar type of offence.
5. The accused shall be regular before the court in all date of hearing.
6. The accused shall not violate bail conditions, if violate any one of conditions, bail stands cancelled.

JMFC., H.N.Pura.

Surety by name Thimmegowda S/o Late Hanumegowda, R/o Shigaranahalli village, Halekote Hobli, Holenarasipura Hobli, who is present and produced RTC bearing Sy.No.209/3 to an extent of 1.08 acre and xerox copy of Adhaar card. Surety is satisfied and accepted.

Office is hereby directed to take bonds

Civil Judge & JMFC,
Holenarasipura.