

Date: 6-11-2015

CC No. 262/2014

Case is advanced. Accused No.3 is present and K.G.P. has filed bail application for her, along with memo and certified copy of the orders passed in Crl. Petition No. 1118/15. I have perused the same and found that, the Hon'ble IV Addl. Sessions Court Kalaburgi, has released her on anticipatory bail on her executing bond for Rs.25,000/- with one surety. While granting the bail the objection raised by the prosecution was also taken into account. Therefore, there is no need to discuss much on the entitlement of the accused No.3 on bail. However, it should be remembered that the bail granted by this court to accused No.3 has been cancelled and her bond has been forfeited to the state. Therefore, the bond amount has to be recovered as penalty. The total bond amount is Rs.30,000/-. The advocate for accused No.3 has submitted that, some remission be given so that she will be in a position to pay the bond amount. Considering the said submission, it is felt that out of Rs.30,000/- $\frac{3}{4}$ th may be given remission and $\frac{1}{4}$ th may be recovered as per the decision of Hon'ble Supreme Court of India. Hence, I pass the following:

ORDER

The bail application filed by accused No.3 U/Sec.437 of Cr.P.C., is hereby allowed.

Accused No.3 is released on bail on her executing personal bond of Rs.25,000/-, with one surety for like sum, subject to the following conditions:

1. Accused No.3 shall pay a sum of Rs.7500/- towards the forfeited bond amount as penalty.
2. She shall appear before the court on all dates of hearing.

Surety by name Nimbenna S/o. Bhimasha Mugadi, R/o; Neelur, tq; Afzalpur, who present before the court and ready to stand as surety for release of accused No.3 on bail. He has produced RTC of land bearing Sy.No.99/4, measuring 3-acres 30-guntas, situated at Neelur vilalge, Tq. Afzalpur. I have perused the same. Hence, surety is accepted. Take bonds.

Call on for HBC 26.12.2015.

J.M.F.C., Afzalpur.