

S.C. No.- 11/2022

Accused No.1 to 3 are present.

Sri URV adv for Accused No.2 files Vakalath for Accused No.2 along with Bail Application U/Sec. 439 of Cr.P.C. along with voluntarily surrender application along with application U/sec.70(2) of Cr.P.C. along with Surety affidavit along with Declaration U/Sec. 441(A) of Cr.P.C., along with RTC extract, attested copy of Aadhaar card of Surety.

Copies served on PP.

Heard both sides on the aforesaid Bail Application.

Perused the records of this case.

Offences alleged against the accused No.2 are not punishable with death or life imprisonment and triable by this Court.

Moreover Accused No.2 has been enlarged on Regular bail in Crl. Pet. No.101259 of 2021 as per the Order dated 19.07.2021 passed by the Hon'ble High Court of Karnataka, Dharwad Bench during the pendency of the Criminal case.

It is a well settled principle of law that once the Regular Bail is granted to the accused during the pendency of the Criminal Case, the same remains in force till the conclusion of the trial of the Case.

Hence, the following-

ORDER

Bail application filed by the Accused No.2 U/Sec. 439 of Cr.P.C is hereby allowed.

Accused No.2 is enlarged on bail on he executing personal bond for Rs. 1,00,000/- with one surety for the like sum on the following-

C O N D I T I O N S

1. Accused No.2 shall not tamper the prosecution witness nor shall destroy the prosecution evidence in any manner during the trial of this Case.

2. Accused No.2 shall take up the trial of this Case by being present regularly on all the dates of hearing of this case unless exempted by this Court for valid reasons.

3. The surety holder shall keep the Accused No.2 present before this Court on all dates of hearing of this case till the conclusion of trial of this case.

4. That in the event of violation of the above conditions by the Accused No.2 the prosecution is at liberty to seek for cancellation of Bail granted to Accused No.2

Surety by Name- Mohammed Ali S/o Valisab is present before the Court and has produced the RTC extract of Sy.No. 22/*/4 totally measuring 01 acre 04 guntas Khata No.323, situated at Pannapur Village, Tq.: Karatagi, Koppal Dist. Free from all kinds of encumbrances / liabilities except crop loan which discloses that he is the owner of the same and the market value of the said property is more than Rs. 20 lakhs per acre as stated in the affidavit.

Enquired and Satisfied with the same.

Surety offered for Accused No.2 is accepted.

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Office to take P/B and S/B of the Accused No.2 and that of their surety accordingly.

NBW issued against A2 is hereby recalled.

Call on for HBC by- 29.08.2022.

1st Addl. DJ Kpl.,
(Sitting at Gvt.) 05.07.2022