

Order On Bail Application filed U/S 437 of Cr.P.C

Sri.C.P.P advocate for accused No.7 to 12 has filed vakalath with bail application U/s 437 of Cr.P.C for releasing the accused No.7 to 12 on bail. In the application, they have stated that, they have not committed any offences as alleged by the police and they are law abiding citizens. They undertakes to appear on all the hearing dates without fail. They undertakes to furnish surety to the satisfaction of this Court and undertakes to abide by the condition imposed by this Court.

The learned APP has filed objection and contended that, the alleged offences punishable U/s 143, 147, 148, 323, 324, 355, 504, 506 R/w 149 of IPC are non-bailable in nature. The details of the bail application are not true. The accused No.7 to 12 are not innocents. If the accused No.7 to 12 released on bail, they may abscond or threatened to prosecution witnesses. The accused No.7 to 12 may tamper the evidence of prosecution and release if they are likely to commit similar crimes in the future. Hence, prays to dismiss the application.

On perusal of the record, it appears that, the Talakadu Police Station have registered the case against the accused No.1 and 2 for the offences punishable U/s 143, 147, 148, 323, 324, 355, 504, 506 R/w 149 of IPC. Therefore, having regards to the facts and circumstances of case and considering the social background of the accused No.7 to 12 , this court is of the opinion that, it is a fit case to enlarge the accused No.7 to 12 on bail.

In view of the decision of the Hon'ble supreme court in Satyendra Kumar Antil case, the accused is entitled for bail. The apprehension of Learned APP may be met with imposing stringent condition. Hence, I proceed to pass the following:

ORDER

The bail application filed by the accused No.7 to 12 are hereby allowed. The accused No.7 to 12 are enlarged on bail on executing a personal bond of Rs.**25,000/- each** with one surety like sum for the following conditions:

1. The accused No.7 to 12 shall be present before this Court on all hearing dates.
2. The accused No.7 to 12 shall not indulge in any offences.
3. The accused No.7 to 12 shall not tamper the prosecution witnesses and evidences.

For surety

**I Addl.Civil Judge and JMFC.,
T.Narasipura.**

Surety for accused by name Basavaiah S/o Late B.E.Kempaiah, Aged about 63 years, R/at Vijayapura Village, Talakadu Hobli, T.Narasipura Taluk, is present and filed his affidavit, declaration, copy of Aadhar card No.893195824015 and RTC bearing Sy.No.7/3 measuring 0.36 guntas situated at Vijayapura Village, Talakadu Hobli, T.Narasipura Taluk.

Perused the same and satisfied. Hence, surety is accepted on behalf of accused No.7 to 12.

Charge sheet materials are supplied to the counsel for accused No.7 to 12.

Office to take bail bond of Rs.25,000/- each from accused No.7 to 12.

The counsel for the accused No.7 to 12 filed application U/s 70(2) of Cr.P.C seeking to recall NBW against accused No.7 to 12.

Perused the application and the reasons mentioned in the application is sufficient to recall NBW against accused No.7 to 12 on penalty of Rs.200/- each.

Call on

**I Addl.Civil Judge and JMFC.,
T.Narasipura.**