

ORDER ON BAIL APPLICATION

The accused has filed bail application under Sec.437 of Cr.P.C. seeking to enlarge him on bail.

The learned APP., has filed objections.

I have heard on both side and perused record.

The offences alleged against the accused are punishable under Secs.417 and 420 of IPC. Though Sec.420 of IPC is non bailable, it is neither punishable with death nor imprisonment for life and is triable by this court. At this stage, it is considerable that previously accused was enlarged on bail and thereafter he remained absent and NBW was issued to him and notices were issued to sureties. As inspite of service of notices to the sureties neither of the sureties appeared before the court nor they gave information to the accused, the bail bonds were forfeited and surety proceedings were initiated. Thereafter the accused was secured and he was remanded to JC. Since 12.01.2021, the accused is in J.C. Now the accused has once again filed bail application by contending that he is ready to abide by the conditions imposed by this court and is ready to offer substantial surety. Considering the fact that previously accused was enlarged on bail and he has jumped the bail, it is necessary to impose stringent conditions on the accused. As bail bonds are forfeited, the accused is required to pay personal bond amount which he has executed when he

was enlarged on bail. Thus, if the accused is enlarged on bail by imposing stringent conditions, same will satisfy the apprehensions of learned APP and it will help in securing the presence of accused for proceeding for trial. Hence, I proceed to pass the following:

ORDER

The bail application filed by the accused u/sec.437 of Cr.P.C. is hereby allowed.

Accused namely Noushad Pasha is enlarged on bail on his executing personal bond for Rs.30,000/- with two sureties for like sum, subject to following conditions:

1. He shall regularly appear before the court.
2. He shall not tamper the prosecution witnesses.
3. He shall not indulge in similar offences in future.
4. He shall furnish the copies of his permanent residential proof.
5. He shall pay the forfeited personal bond amount.

For sureties call on .

Senior Civil Judge & JMFC.,
Gubbi.