

KAUK030006302021



Order on application filed U/S 437 of
Cr.P.C.

Accused No.1 and 2 have filed the instant application U/S 437 of Cr.P.C seeking for their enlargement on bail on the ground that they have been falsely implicated in present case and they have not committed any offences as alleged by the prosecution and they are ready to abide by the conditions that may be imposed by this Court.

Per contra, the learned APP has filed objection to the present application and sought for its dismissal.

I have heard and perused the materials on record.

The offences against the accused No.1 and 2 are punishable U/S. 32, 34 of Karnataka Excise Act. The said offences are

not punishable with death or imprisonment for life and the same is exclusively triable by this court. Accused No.1 had filed Criminal Crl.Misc. 268/2020 seeking anticipatory bail. The same was allowed by the Hon'ble Prl.District and Sessions Judge, Uttara Kannada, Karwar. Accused No.2 had filed Criminal Crl.Misc.277/2020 seeking anticipatory bail. The same was allowed by the Hon'ble Prl.District and Sessions Judge, Uttara Kannada, Karwar. Accused No.1 and 2 are ready to furnish surety. The apprehensions of the prosecution could be met by imposing conditions. Accordingly, I proceed to pass the following;

ORDER

The application filed by Accused No.1 and 2 under section 437 Cr.P.C is hereby Allowed.

Accused No.1 and 2 are enlarged on bail on executing their self bond for a sum Rs. 30,000/- with two sureties each on the following conditions:-

1. Accused No.1 and 2 shall not indulge in any criminal activities.
2. He shall not threaten and tamper the prosecution witnesses in any manner.
3. He shall be regular to the court.

Addl.Civil Judge & JMFC-II,
Karwar.