

Case taken on board.

The accused produced before this court under execution of NBW through C.H.C. 1451 of BTPS at 4.30 p.m.

On enquiry the accused submitted that he was arrested at 11.00 a.m. near his house and also submitted that, his arrest intimation is sent to his family.

Further, accused submitted that, there is no ill treatment by the police.

Perused the medical certificate.

The offence alleged against the accused is punishable u/s. 138 of N.I.Act. And same is bailable in nature.

Sri M.T.N. advocate filed vakalth for accused along with bail application u/s 436 of Cr.P.C. and u/s. 445 of Cr.P.C.

For orders.

**ORDER ON BAIL APPLICATION FILED BY
ACCUSED U/SEC.436 OF CR.P.C. AND SEC.445 OF
CR.P.C. FOR DEPOSITING CASH SURETY**

Learned counsel for the accused has filed bail application seeking to enlarge the accused on bail.

2. In the bail application it is stated that, the accused is alleged to have committed an offence punishable under section 138 of N.I.Act. He is innocent in this case. He has not committed any offence as alleged by the complainant. He has been falsely implicated in the above said case. The alleged offence is bailable and accused is offering cash security for his release on bail. The accused is the permanent resident of Bhatkal Taluk and he hails from a very respectable family. He has got high roots in the society. He is the sole bread winner of his family. The alleged offence is bailable in nature. He is ready to abide by the conditions of release. He is undertaken to be regular during the trial of the case before the court. Hence prays to allow the bail application.

3. Heard arguments, perused documents available on record.

4. In view of above facts and circumstances, the points that would arise for my consideration are as under:-

1. Whether the application filed by the accused under section 436 of Cr.P.C. deserves to be allowed?

2. What order?

5. My findings on above points are as under;

Point No.1 : **In the Affirmative**

Point No.2 : **As per final order,
for the following;**

REASONS

6. Point No.1 : The offences alleged against the accused is punishable U/Sec.138 of N.I.Act and same are bailable in nature. The alleged offence against the accused is not punishable for death or imprisonment for life. Henceforth, I answer **point No.1 Affirmatively.**

7. Point No.2 : In order of answering Point No.1 affirmatively, I proceed to pass following;

ORDER

The bail application filed by the accused is hereby allowed on following conditions.

1. The accused shall execute personal bond of Rs.25,000/-(Rupees twenty five thousand only) and 3,000/-(Three thousand) Cash surety.
2. The accused shall be regular before this Court.

In case if the accused violates any of these conditions, the bail granted to his shall be canceled.

Sd/-
Prl. Civil Judge and
JMFC., Bhatkal.

Accused and his counsel present.
Plea recorded. read over in kannada
language known to him. He pleaded not
guilty. Hence, case posted for evidence.

For cross of PW-1

Call on,07.06.2024.

Sd/-

Prl. Civil Judge and
JMFC., Bhatkal.