

Case is advance on board and called out.

Learned APP filed objections to bail application.

Heard on bail application on both sides. Perused the case papers.

The counsel for the accused No.4 has argued that, the accused No.4 is innocent and he has not committed any offences which have alleged against him and he has been falsely implicated and there are ready to obey the terms and conditions of bail order. It is further argued that, alleged offences are non-bailable, but not punishable with imprisonment for life or death penalty.

On the other hand, the learned APP has argued that, the offences are non-bailable and he has heinous in nature and if accused No.4 will released on bail, there are chances of tamper of Prosecution witnesses and destruction of Prosecution evidence and prays to reject the application.

Having heard on both side, the Court has gone through the entire materials. It is admitted fact that, the investigation is already completed, charge sheet is also already filed and at this stage, IO is not required the presence of accused No.4 for investigation. Though the alleged offences are non bailable in nature but the same are not punishable with death penalty or imprisonment for life. Moreover, the said offences are triable by this Court. The accused No.4 is ready to offer surety for their release on bail and abide by the conditions which would be imposed on them. Hence, by imposing stringent conditions, the apprehension of Prosecution would be safeguarded and as such, accused No.4 is entitled for the bail.

In view of the same, the Court proceeds to pass the following:

ORDER

The bail application filed by the accused No.4 under Section 437 of Cr.P.C. is hereby allowed on executing

personal bond for Rs.50,000/- each along with one surety for the like sum with following conditions;

1. Accused No.4 shall appear to the Court regularly.

2. Accused No.4 shall not tamper the Prosecution evidence and threaten the Prosecution witnesses.

3. Accused No.4 shall not indulge themselves in similar type of offence.

Sd/-

**Addl. Civil Judge & JMFC.,
Honnavar.**

Counsel for accused No.4 is ready to furnishing the surety.

Surety is present before the court.

One Surety by name Savitri Narayan Gouda, Aged about 49 Years, Occupation: Household, R/o: Keremane, Gunavante, Taluk: Honnavar, Uttara Kannada District, she is present and submits that, she is ready and willing to offer surety. She has filed surety affidavit along with declaration U/Sec. 441(A) of Cr.P.C. with his R.T.C extract bearing Sy. No. 43/1 & 3, measuring 00-05-12 Guntas situated at Manki Hobli,

Gunavante Village, Honnavar Taluk
and copy of Aadhaar Card.

The surety is held sufficient and
accepted and her properties are taken
as security.

Office is hereby directed to take
the surety bonds accordingly.

Office is hereby directed to issue
release intimation to the concerned
jail authorities to release the accused
No.4 if he is not required in any other
case.

Sd/-
**Addl. Civil Judge & JMFC.,
Honnavar.**