

Bail application filed under Sec.436 of Cr.P.C. and accused offer surety. Call for orders by sometimes. Re-issue summons to accused No.1.

Addl. Sr. Civil Judge and A.C.J.M.,
Udupi.

Orders on Bail application

Learned Counsel for accused No.1 filed the bail application under Sec.436 of Cr.P.C. and requested to enlarge the accused on bail. The learned counsel contented that, the accused No.1 is innocent, he has been falsely implicated in the offence and he did not commit any offence alleged by the prosecution. The offences alleged against the accused No.1 under Sec.279, 337, 338 of I.P.C and 115 r/w 90(2) of I.M.V. Act are bailable in nature. The alleged offences are triable by this court. Accused No.1 is ready to abide the conditions imposed by this court. Hence, prayed to allow the application.

On perusal of the case papers, it can be seen that, so offences are bailable in nature. The investigation in this case is completed, so therefore accused No.1 is not required for investigation. As on this day, prosecution is not moved any application for further investigation. So therefore, the court proceeds to pass the following :

ORDER

Bail application filed under Sec.436 of Cr.P.C. by the learned counsel for the Accused No.1 is hereby allowed. Accused No.1 is enlarged on Bail on subject to the following conditions.

1. Accused No.1 is directed to execute the bond for the amount of Rs.50,000/- along with one surety for like sum.
2. Accused No.1 is directed to appear before the court in all the dates of hearing.
3. Accused No.1 is directed not to commit any offence and not to destroy the evidence of prosecution.

Surety by name Rajakumar Biradar, aged about 40 years, S/o. Bimanna Gowda, R/at Cheeraldinni, Koulagi, Basavana Bagevadi, Vijayapura District is present and he intends to stand as surety to accused No.1. In this regard

he filed affidavit along with KSRTC Payslip for the month of October 2024, Xerox copy of his Aadhaar Card and declaration affidavit.

I have perused the affidavit of the surety with documents placed. Surety is accepted.

Office is directed to take bonds & surety.

(Santosh Srivastava)

Addl. Senior Civil Judge & A.C.J.M.
Udupi.