

MHLA160006342023



SCC No.164-2023

Sabiyabegum Vs. Javed

ORDER BELOW EXH.52 BAIL APPLICATION DATED 10/02/2025

Present application for bail is filed by accused **Javed Husain Pathan** on the ground that, accused is falsely implicated into crime. Accused is local resident. Accused is sole earning member of his family. Accused is ready to abide by conditions imposed by the Court. He will remain present on each and every date fixed by the Court. He is ready to furnish surety. Hence, prayed to allow the bail application.

2. The Ld. Advocate for complainant objected to the bail contenting that accused is deliberately remain absent therefore N.B.W. is issued, matter is pending for trial since 2023. If released on bail he will abscond. Therefore, prayed to reject the application.

3. Perused record. The trial is pending against the accused for the offences punishable 138 of Negotiable Instruments Act. During the course of trial, as accused failed to remain present, non-bailable warrant was issued against him. In execution of the same, accused has been brought before this Court and he has been taken into M.C.R. Present application has been preferred to release him on bail as he is ready to furnish fresh surety. Therefore, application needs to be allowed. Notice needs to be issued to the accused for forfeiture of the bonds executed by him

in compliance of earlier bail order. Hence, I proceed to pass following order.

-:: ORDER ::-

1. Accused Javed Husain Pathan be released on S.B. and P.B. of Rs.15,000/-.
2. Issue show cause notice to the accused as to why the amount of penalty should not be recovered from the him for the forfeited bonds.

Date : 10/02/2025.
Place :Deoni.

(A. P. Kholam)
Judicial Magistrate First Class,
Deoni.