

Misc. CrI. case No.02/20

05-01-2022

The bailor has appeared and vide petition No.14/22 deposited a cash amount of Rs.5,000/- (Rupees five thousand) only with a prayer to reduce the amount of bail. Perused the record. It appears that the bailor has taken a bail for Rs.10,000/- (Rupees ten thousand) only but failed to produce the accused for which his bail bond was forfeited and he was issued notice to show cause as to why he should not pay the penalty as prescribed under the law.

I have personally heard the bailor who has admitted that he has failed to produce the accused as per the condition of the bail bond. Therefore, he has deposited an amount of Rs.5,000/- (Rupees five thousand) only but prayed for leniency on the ground that he does not have any feasible source of income and he needs to run his family by his own.

Having considered all the aforesaid aspects and also in the light of the provision of Sec.446(3) of the Cr.P.C., the penalty is reduced to Rs.5,000/- (Rupees five thousand) only which has been deposited by the bailor.

The said amount shall be deposited in the Government exchequer as per the established norms and procedure. The bailor is exonerated from his liability.

Misc. case stands disposed of accordingly.

(N. Akhtar)
Judge,
Special Court, POCSO
Sonitpur, Tezpur