

Title: Atty. Franklin G. Gacal vs. Judge Jaime I. Infante

Facts: In Sarangani Province, Faustino Ancheta was charged with the murder of Felomino O. Occasion. The investigating judge did not recommend bail. However, the Provincial Prosecutor recommended bail, and Judge Jaime I. Infante, without conducting a bail hearing, granted Ancheta's bail. Upon learning of this, Atty. Gacal, the private prosecutor, filed a motion for reconsideration and/or to cancel bail. Judge Infante required the public prosecutor's comment but eventually denied the motion on grounds of technicality and pro forma for lack of public prosecutor's conformity. Atty. Gacal filed an administrative complaint against Judge Infante for gross ignorance of the law, gross incompetence, and evident partiality.

Procedurally, the case underwent reviews at the municipal and provincial prosecutor levels before being raffled to Judge Infante's court. As the process unfolded, there were several instances of non-appearance by the public prosecutor, which, coupled with Atty. Gacal's legal moves, eventually led to the filing of the aforementioned administrative complaint with the Office of the Ombudsman, which later referred it to the Supreme Court.

Issues:

1. Whether or not bail hearings are mandatory before the grant of bail in capital offense cases.
2. Whether or not a bail hearing may be dispensed with if there is no formal application for bail made or if the prosecutor has recommended bail.
3. Whether or not failure to conduct a bail hearing constitutes gross ignorance of the law.

Court's Decision:

1. Bail hearings are indeed mandatory before the grant of bail in capital offense cases, regardless of any recommendation by the prosecutor.
2. The absence of a formal bail application or the prosecutor's recommendation of bail does not dispense with the mandatory bail hearing, as this is a judicial duty that cannot be delegated.
3. Judge Infante's failure to conduct a mandatory bail hearing displayed gross ignorance of the law, leading to administrative sanctions against him.

Doctrine:

The doctrine established in this case reaffirms that bail hearings are mandatory before the grant of bail in capital offense cases. This doctrine also reinforces the independence of the

judiciary in determining the strength of evidence against the accused, regardless of the prosecution's stance or recommendations.

Class Notes:

- Capital Offenses: Offenses punishable by reclusion perpetua or life imprisonment.
- Bail as a Matter of Discretion: The grant of bail for capital offenses is not absolute and requires judicial discretion after a mandatory hearing.
- Mandatory Bail Hearing: Obligatory for the judge to conduct a hearing to assess the evidence's strength.
- Gross Ignorance of the Law: Occurs when a judge disregards well-established legal rules, such as the requirement of a bail hearing in capital cases.
- Rule 114, Section 7 of the Rules of Court: "No person charged with a capital offense, or an offense punishable by reclusion perpetua or life imprisonment when evidence of guilt is strong, shall be admitted to bail regardless of the stage of the criminal action."

Historical Background:

The requirement for bail hearings in cases involving capital offenses is deeply rooted in the safeguarding of due process. Historically, this requirement ensures that individuals' liberty is not unduly compromised and that the judiciary robustly exercises its role in scrutinizing the strength of evidence against someone accused of a serious crime. The case reflects a continuing effort by the legal system to balance the rights of the accused with the interests of public safety and the integrity of judicial proceedings.