

THE 2000 BAIL BOND GUIDE

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WHEREAS, bail is a right enshrined in the Constitution and in furtherance of the mandate therein, statutes as well as rules and regulations have been issued in this regard;

WHEREAS, in proper cases, the right to bail may be invoked by the respondent/accused;

WHEREAS, prosecutors, as officers of the court, are duty bound to assist the courts by recommending the amount of bail to be granted, taking into consideration the following standards and criteria:

- Financial ability of the respondent/accused to post bail;
- Nature and circumstances of the offense;
- Penalty for the offense charged;
- Character and reputation of the respondent/accused;
- His/her age and state of health;
- Weight of the evidence against the respondent/accused;
- Forfeiture of other bonds and pendency of other cases wherein the respondent/accused is under bond;
- Fact that respondent/accused is a fugitive from justice when apprehended
- Other factors affecting the probability of the accused appearing at the trial;

WHEREAS, on the basis of the foregoing standards, this Bail Bond Guide has been issued to simplify and codify the various Department (Ministry) Circulars and to achieve uniformity in the amount of bail to be recommended for each crime;

WHEREAS, the rules of computation to be used in arriving at a uniform rate of bail are as follows:

1 Where the penalty is reclusion perpetua, life imprisonment, reclusion perpetua to death, or death, bail is not a matter of right; hence, it shall not be recommended.

2. Where bail is a matter of right and the imposable penalty is imprisonment and/ or fine, the bail shall be computed on the basis of the penalty of imprisonment applying the following formulae, viz:

- a. Where the penalty is prision correccional (regardless of the period) to reclusion perpetua, or reclusion temporal (regardless of the period), to reclusion perpetua, bail shall be computed based on the maximum period of reclusion temporal.
- b. Where the imposable penalty is correctional or afflictive, bail shall be based on the maximum of the penalty, multiplied by P2,000:00. A fraction of a year shall be rounded-off to one year.
- c. For crimes covered by the Rule on Summary Procedure and Republic Act No. 6036, bail is not required except when respondent/accused is under arrest, in which case bail shall be computed in accordance with this guideline.

d. For crimes of reckless imprudence resulting in homicide and with violation of the Land Transportation and Traffic Code, bail shall be P30,000.00, regardless of the number of deaths.

e. For violation of Batas Pambansa Big. 22, bail shall be P2,000.00 for the first P40,000.00 face value of the check and an additional P1,000.00 for every P 10,000.00 in excess of P40,000.00, but bail shall not exceed P30,000.00

3. Where the imposable penalty is fine only, bail shall be computed as follows:

a. For fine not exceeding P2,000.00, bail is not required.

b. For fine of more than P2,000.00, bail shall be 50% thereof but shall not exceed P30,000.00

c. In case of reckless imprudence resulting in damage to property, bail shall be one-fourth (1/4) of the amount of the damage but shall not exceed P30,000.00, except when covered by the Rule on Summary Procedure, in which case bail is not required.

4. For violation of the following laws, bail shall be computed based on the maximum penalty imposable, multiplied by P10,000.00, to wit:

a. Republic Act No. 6425 (Dangerous Drugs Act), as amended by R.A. 7659.

b. Republic Act No. 6539 (Anti-Carnapping Act), as amended by R.A. 7659:

c. Republic Act No. 7610 (Special Protection of Children Against Child Abuse, Exploitation and Discrimination), as amended

d. Republic Act No. 7659 (for other crimes-covered by it).

e. Presidential Decree No. 1866 (Illegal Possession of Firearms, Ammunition or Explosives), as amended by R.A. 8294.

f. Presidential Decree No. 1464 (Tariff and Customs Code of 1978).

g. Republic Act No. 6968 (Rebellion, Insurrection or Coup d'Etat).

WHEREFORE; in accordance with the foregoing rules, standards and criteria, the attached schedule of bail is hereby adopted for the National Prosecution Service and shall be known by its abbreviated title. "The 2000 Bail Bond Guide".

This Circular supersedes all Department issuances inconsistent herewith, shall take effect immediately and remain in force until further orders.

Adopted: 29 August 2000

(SGD.) ARTEMIO G. TUQUERO
Secretary

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