

§216. Bail permitted in discretion of court except in certain cases

Except as otherwise provided, the judge or magistrate may admit the person arrested to bail by bond or undertaking, with sufficient sureties and in such sum as the judge or magistrate determines proper, for the person's appearance before the judge or magistrate at a time specified in that bond or undertaking and for the person's surrender to be arrested upon the warrant of the Governor of this State or waiver of it. The following persons may not be admitted to bail pursuant to this section: [RR 2023, c. 2, Pt. D, §22 (COR).]

1. Death or life imprisonment sentence. A person charged with an offense for which a sentence of death or life imprisonment is possible under the laws of the demanding state; [RR 2023, c. 2, Pt. D, §22 (COR).]

2. Crime of escape. A person who is charged with or has been convicted of the crime of escape in the demanding state; or [RR 2023, c. 2, Pt. D, §22 (COR).]

3. Escape status. A person whose extradition is being sought on the ground that the person has been convicted of a crime in the demanding state and:

A. Has escaped from confinement; or [PL 1979, c. 274, §6 (NEW).]

B. Is under sentence of imprisonment imposed upon the denial of an appeal or other review of a conviction or revocation of probation or parole, the person having been released on bail pending appeal or other review. [PL 1979, c. 701, §9 (AMD).]

[RR 2023, c. 2, Pt. D, §22 (COR).]

SECTION HISTORY

PL 1977, c. 671, §14 (AMD). PL 1979, c. 274, §6 (RPR). PL 1979, c. 701, §9 (AMD). RR 2023, c. 2, Pt. D, §22 (COR).

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