

POST THE BOND BY EXECUTING IT IN THE FULL PENALTY AMOUNT AND BY DEPOSITING WITH THE CLERK OF THE COURT OR A COMMISSIONER A SUM OF MONEY EQUAL TO 10% OF THE PENALTY AMOUNT OR \$25, WHICHEVER IS GREATER. A JUDGE MAY INCREASE THE PERCENTAGE OF CASH SURETY REQUIRED IN A PARTICULAR CASE BUT IN NO EVENT SHALL A CASH DEPOSIT BE LESS THAN \$25. THIS PARAGRAPH DOES NOT APPLY IF THE DEFENDANT HAS BEEN ARRESTED FOR FAILURE TO APPEAR IN COURT OR FOR CONTEMPT OF COURT.

(3) UPON DEPOSITING THE SUM PROVIDED IN PARAGRAPH (2) HEREOF AND EXECUTING THE RECOGNIZANCE, THE DEFENDANT SHALL BE RELEASED FROM CUSTODY SUBJECT TO THE CONDITIONS OF THE BAIL BOND. WHEN ALL CONDITIONS OF THE BOND HAVE BEEN PERFORMED WITHOUT DEFAULT AND THE DEFENDANT HAS BEEN DISCHARGED FROM ALL OBLIGATIONS IN THE CAUSE FOR WHICH THE RECOGNIZANCE WAS POSTED, THE CLERK OF THE COURT SHALL RETURN THE AMOUNT DEPOSITED TO THE PERSON OR PRIVATE SURETY WHO FIRST DEPOSITED IT.

(4) IF THE DEFENDANT FAILS TO PERFORM ANY OR ALL OF THE CONDITIONS OF THE BAIL BOND, IT SHALL BE FORFEITED; AND IN THE EVENT OF FORFEITURE, THE LIABILITY OF THE BOND SHALL EXTEND TO THE FULL AMOUNT OF THE BOND SET AND THE AMOUNT PREVIOUSLY POSTED AS A DEPOSIT SHALL BE APPLIED TO REDUCE THE LIABILITY INCURRED BY THE FORFEITURE.

REVISOR'S NOTE: Subsection (b) contains the substance of Art. 26, §145(b)(6)(i)-(iv), all of which are proposed for repeal; see also MDR 777. Provisions dealing with power to issue warrants, etc. are placed elsewhere in Art. 27.

(C) Any person charged with an offense hereinafter enumerated committed during the time that person had been released on bail or his own recognizance for committing an offense hereinafter enumerated, is ineligible to give bail or be released on recognizance on the subsequent charge, until all prior charges hereunder have finally been determined by the courts. But a person charged with a subsequent crime hereinafter set forth, may rebut his ineligibility for release on bail or recognizance before determination of the prior charge. If, after consideration of the matters presented in rebuttal, the court hearing the application for bail is persuaded that the applicant would not pose a danger to any other person or to the community, and would