



IN THE COURT OF THE PRL.DISTRICT & SESSIONS
JUDGE, AT: HAVERI

DATED THIS THE 23rd DAY OF JULY, 2026

PRESENT: **Sri.Biradar Devindrappa N.,**
B.A., LL.B.,(Spl)
Prl. District & Sessions Judge,
Haveri.

CRL.MISC.No.443/2026

PETITIONERS:
ACCUSED:

1. Munaf
S/o Khalandarsab Masanakatti,
Age 29 years, Occ: Coolie,
2. Mahmadhayath
S/o Karimsab Yatnalli,
Age 29 years, Occ: Coolie,
3. Hajaratali A Mattikatti,
Age 25 years, Occ: Coolie,
All are r/o Naregal village,
Taluk: Hanagal, District: Haveri.

(By Sri.M.R.Ahmadshanavar, Advocate)

Vs.

RESPONDENT:

The State of Karnataka,
Adur Police Station, Adur.

(By Public Prosecutor, Haveri)

ORDER ON PETITION U/SECTION 483 OF BNSS, 2023

Accused No.19, 20 & 25 of Crime No.109/2026 of Adur Police station, Adur, for the offences punishable under Sections 54, 109, 115(2), 118 (1 & 2) 189(2), 191(2 & 3), 299, 351(2) and 352 r/w 190 of BNS, 2023 have filed this petition under Section 483 of BNSS, 2023 for bail.

2. Above said case was registered against the accused Nos.1 to 26 for the above said offences on the basis of an information dated 29.06.2026 furnished by a farmer and investigation was started. During the course of investigation police have arrested some of the accused persons apart accused No.19 and 25 on 01.07.2026 and accused No.20 on 03.07.2026, produced them before the learned Magistrate, they were taken into custody and remanded to prison. Hence, this petition.

3. Learned Public Prosecutor filed objection.

4. Heard both the sides and perused the records, thereafter following points arise for determination:

1. Whether the petitioner accused No.19, 20 & 25 are entitled to bail?

2. What order?

5. My findings to the above points are as under:

Point No.1 In the affirmative;

Point No.2 As per final order
for the following:

REASONS

6. **Point No.1**: Brief facts of prosecution case are that, on 29.06.2026 at 02.30 PM, near Jumma Maszid and in and out of the house of victims by name Khajamohiddn and Bashsab, situated at village Naregal, within the limits of complainant's police station, accused Nos.1 to 26 formed unlawful assembly, holding deadly weapons namely, sickle, chopper and axe, made criminal house trespass in the house, brought the injured persons out from the house, hit them with deadly weapons, caused injuries with intention to commit murder and threatened. Hence, prosecution alleges the said offences.

7. Other facts are that, prior to the incident, bullocks fest was going on the road in front of above said Maszid, accused Nos.1 to 9 used crackers and thrown in the

Masjid compound. Victims question the said accused. Hence, incident was taken place.

8. During the course of investigation, police have arrested the accused No.19, 20 & 25, produced them before the learned Magistrate, they were taken into custody and remanded to prison.

9. Now, accused No.19, 20 & 25 filed this petition on the following grounds:

Petitioners are innocent and committed no offences but falsely implicated. They are permanent residents of the address shown in the cause title, having dependents and they are only bread earning members in the family. They are ready and willing to abide by the terms and conditions and furnish surety. There is no specific overt act against this petitioner. Alleged offences are not punishable with death or life imprisonment. Accordingly, it is prayed to allow the petition.

10. According to the prosecution, alleged offences are heinous and punishable with imprisonment of 10 years and fine, investigation is not yet completed, grounds made out

are not acceptable, petitioner accused may threaten the witnesses, tamper with the evidence and abscond. Accordingly, it is prayed to reject the petition.

11. Copies of FIR, first information, remand application, form of grounds of arrest, requisition for medical check up of accused and Adhar card of petitioners are made available.

12. Particulars of the case are as under as per the directions of Hon'ble Supreme Court issued in the judgment in the case of Zeba Khan Vs. State of U.P. and others, DD 11.02.2026 reported in 2026 SCC Online SC 188.

PARTICULARS

(A) CASE DETAILS:	
FIR Number and Date	109/2026 - 29.06.2026
Police Station District and State	Adur PS Haveri Karnataka
Sections invoked	54, 109, 115(2), 118 (1 & 2) 189(2), 191(2 & 3), 299, 351(2) and 352 r/w 190 of BNS, 2023
Maximum punishment prescribed:	10 years
(B) CUSTODY & PROCEDURAL COMPLIANCE	
Date of Arrest	A-19 01.07.2026
	A-20 03.07.2026
	A-25 01.07.2026

Total period of custody undergone	A-19 20 days A-20 18 days A-25 20 days
(C) STATUS OF TRIAL	
Stage of proceedings (Investigation/Charge-sheet/Cognizance/Framing of Charges/Trial)	Investigation
Total number of witnesses cited in the charge-sheet	--
Number of prosecution witnesses examined	--
(D) CRIMINAL ANTECEDENTS	
FIR No.& Police Station	--
Sections	--
Status (Pending/ Acquitted/ Convicted)	--
(E) PREVIOUS BAIL APPLICATIONS	
Court	--
Case No.	--
Outcome of case	--
(F) COERCIVE PROCESSES	
Whether any Non-Bailable warrant was issued	--
Whether declared a proclaimed offender	--

13. According to the prosecution injured persons are discharged from the hospital. Nothing is there to hold that, life of injured is in danger. No case is made out to hold that,

custodial interrogation of the petitioners accused No. 19, 20 & 25 is necessary. Grant of bail may not come in the way of free, fair and full investigation. Alleged offences are not punishable with death or imprisonment for life. No previous conviction of accused petitioners is proved. Petitioners accused No.19, 20 & 25 may be prevented from causing threat to the witnesses, tampering the evidence and hampering the prosecution case by imposing conditions. Hence, petitioners accused No.19, 20 & 25 are entitled to the bail. Accordingly, point No.1 is answered in the affirmative.

14. **Point No.2:** In view of my findings on point No.1, I proceed to pass the following:

ORDER

Petition under Section 483 of BNSS, 2023 filed by accused No.19, 20 & 25 of Crime No.109/2026 of Adur Police station, Adur, for the offences punishable under Sections 54, 109, 115(2), 118 (1 & 2) 189(2), 191(2 & 3), 299, 351(2) and 352 r/w 190 of BNS, 2023 is allowed and petitioners accused No.19, 20 & 25 are granted bail subject to execution of personal bond for Rs.1,00,000/- each with a surety for

like sum to the satisfaction of learned Magistrate with following conditions:

- 1.They shall appear before the Court regularly.
- 2.They shall not commit offence similar to the offences of which they are accused or any other offence.
- 3.They shall not directly or indirectly make any inducement or threat to any person acquainted with the facts of the case.
- 4.They shall not leave India till disposal of the case without prior permission of Trial Court and
- 5.They shall furnish all available address and ID proof documents.

(Dictated to the Stenographer Grade-I directly on the computer, revised, corrected and signed by me and then pronounced in the open Court on this the 23rd day of July, 2026.)

(Biradar Devindrappa N)
Prl. District and Sessions Judge,
Haveri.