



**THE COURT OF II ADDL. DISTRICT AND SESSIONS JUDGE,
BIDAR, SITTING AT BASAVAKALAYAN.**

PRESENT

YASHAWANT R TAWARE

B.Sc., LL.B., (Spl)

II Addl. District & Sessions Judge, Basavakalyan
Sitting at Basavakalyan

Dated 14th day of July-2026

Crl. Misc.No.5174/2026

PETITIONER:

- 1) Usha D/o Prakash Rathod,
age 20 years, occ; Gramina
Dak Sevaka in Post Office
Dongam M Tq. Kamalnagar
District Bidar, R/o: Redu Thanda
Village Ghatboral, Tq. Humnabad,
Dist. Bidar.

(By Sri. Nagarkatte Prakash Adv.)

-Vs-

RESPONDENT:

State of Karnataka,
through Humnabad Police Station,
Humnabad.

(By Public Prosecutor)

BAIL ORDER

This petition is filed under section 482 of BNSS, 2023 seeking anticipatory bail in Humnabad P.S Cr.No.127/2026 registered against this petitioner and others alleging the



commission of offences punishable under sections 109, 85, 115(2), 118(1) and 352 R/w 3(5) of BNS, 2023.

2. The factual matrix of prosecution case in brief are that,

One Smt. Sanjana W/o Balaji Rathod R/o Redu Tanda, Ghat Boral village, is the complainant in the present case. As per the averments of the said complaint, the marriage of this complainant with accused No.1 herein was performed on 20.02.2026 as per the customs prevailed in their Lambani community in the presence of their relatives and elderly persons of their community. After marriage, this complainant began leading her marital life by staying with accused No.1 in the house of the accused persons situated at Redu Tanda. The accused No.1 to 3 and petitioner herein have looked after her with love and affection for some days and thereafter, they started giving physical and mental ill treatment to her on flimsy grounds. As the accused No.1 has brutally assaulted her, she left her matrimonial home and stayed in her maidens house situated at Kantu Tanda.

The facts being stood thus, on 01.06.2026 in the morning, her father-in-law who is accused No.2 herein came to the maidens house and advised her to cohabit with her husband (accused No.1) happily and so advising, he brought her back to



her matrimonial home. However, on the same day at around 11.00 p.m., her husband i.e., accused No.1 herein again picked up quarrel with her by abusing her in filthy language uttering as “ ಏ ರಂಡಿ ನೀ ಅವಾರ ಇದ್ದಿ, ನಿನು ನಮ್ಮ ಮನಿ ಹ್ಯಾಂಗ ಬಿಟ್ಟು ಹೋಗಿದಿ ಸೂಳೆ”. Soon thereafter, the said accused No.1 has picked up a razor blade and caused cut wounds with the said razor blade on her chest, both thighs and on her private part with an intention to kill her. The accused No.2 herein also held her neck tightly and slapped her by abusing her in filthy language uttering as “ ಈ ರಂಡಿದು ಭಾಳ ಆಗ್ತಾದ ಬಿಡಬ್ಬಾಡಿ ಇವತ್ತ ಇವಳಿ ಬಿಡಬ್ಬಾಡಿ”. Thereafter, the accused No.3 who is mother-in-law has also assaulted the complainant on her back and chin with hands. When the complainant began crying loudly, the persons around the vicinity have rushed and pacified the said quarrel. It is stated that, the sister-in-law of the complainant by name Usha who is petitioner herein was also giving physical and mental ill treatment to the complainant by abusing her in filthy language. Hence, this compliant.

3. On the basis of this above complaint, the SHO of Humnabad P.S has registered a case under their P.S Crime No.127/2026 against this petitioner and other accused for the offences under section 109, 85, 115(2), 118(1) and 352 R/w 3(5) of BNS, 2023. The investigation is still under progress. As the



name of this petitioner has been referred to in the complaint, she is apprehending her arrest in the present case by Humnabad Police. Hence, this petitioner has come up with this petition seeking her release on anticipatory bail pending investigation.

4. In response to the service of notice, the learned Public Prosecutor representing the State has filed his statement of objections opposing for the grant of bail inter alia contending that, the investigation is still under progress and at this stage, if this petitioner is released on bail, there is likelihood of her fleeing away from the course of justice and the said petitioner may tamper with the prosecution witnesses or cause threat or undue influence and that there are prima-facie materials available on record to believe that the said petitioner has committed the offences alleged against her. On these and certain other grounds, it is prayed to reject the bail petition.

5. Now, the points that arise for my consideration are as under:

- (i) Whether these petitioner is entitled to be released on anticipatory bail?
- (ii) To what order?



6. Heard both sides.

7. My finding to the above points are as under:

Point No.(i): ***In the affirmative.***

Point No.(ii): As per the final order passed below for
the following;

REASONS_

8. **POINT NO.(i):**

I have given my anxious thoughts to the points urged by both the learned counsel during the course of advancing their arguments. I have also carefully perused the materials produced on record. As can be seen from the averments of the complaint, the marriage of this complainant was solemnized with accused No.1 herein at about four months back on 20.02.2026 as per the customs prevailed in their Lambani community. After marriage, there was marital dispute arisen between them. As a result, the complainant went to her maidens house. It is stated that, on 01.06.2026 the father-in-law who is accused No.2 herein has brought back the complainant to her matrimonial home by advising her. However, it is alleged that, on the same day at night hours, i.e., at around 11.00 p.m., the accused No.1 has picked up quarrel with her, abused her in filthy language, and caused cut wounds on her



chest, both thighs and private part with razor blade with an intention to kill her. It is also alleged that, accused No.2 and 3 have also assaulted the said complainant with hands.

9. It is to note that, in the last two lines of the complaint, a general allegation has been made against this petitioner who is sister-in-law of complainant stating that, this petitioner also used to give physical and mental ill treatment to the complainant. It is to note that, except the offence under section 85 of BNS, 2023, no other offences alleged are attracted against this petitioner. The offence under section 85 of BNS, 2023 is not punishable with death or imprisonment for life. The said offence is punishable with imprisonment for a period less than seven years with fine. This petitioner has no any criminal antecedents. This petitioner is ready to abide by any conditions that may be imposed by this court. If so, the apprehensions of the learned Public Prosecutor raised in his Statement of Objections can be sufficiently met out by imposing stringent conditions. Hence, I am of the considered opinion that, the discretion could be exercised in favour of this petitioner by admitting her to the anticipatory bail pending investigation. Accordingly, the Point No.(i) framed herein above is answered ***in the Affirmative*** in favour of the petitioners.

**10. POINT NO.(ii):**

In view of my finding given on point No.(i) and for the reason discussed herein above paragraphs, I proceed to pass the following:

ORDER

The petition filed under section 482 of BNSS, 2023 is hereby allowed.

It is hereby ordered that, in the event of arrest of this petitioner in relation to Humnabad P.S Crime No.127/2026, she shall be released on anticipatory bail on her execution of personal bond in a sum of Rs.50,000/- along with one surety for like sum under the following:

CONDITIONS:

1. The petitioner shall co-operate with the I.O during and until conclusion of the investigation.
2. The petitioner shall not tamper with prosecution witnesses or cause threat, coercion and undue influence on the



witnesses who are acquainted with the commission of crimes.

4. The petitioner shall not indulge in similar criminal activities in future.

5. The petitioner shall attend the trial regularly without fail.

[Dictated to the Stenographer, typed and computerized by him, corrected by me and then pronounced in the open court, on this **14th day of July-2026**].

(YASHAWANT R TAWARE)
II Addl. Dist. & Sessions Judge,
sitting at Basavakalyan.

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