

KABG010046062026



Presented on: 27.05.2026
Registered on: 27.05.2026
Decided on: 05.06.2026
Duration: 9 days

**IN THE COURT OF I ADDL. DIST. & SESSIONS JUDGE,
BELAGAVI, AT BELAGAVI**

PRESENT
SRI SUBHASH SANKAD,
B.A., LL.M.
I ADDL. DISTRICT & SESSIONS JUDGE,
BELAGAVI

DATED: This the 5th day of June, 2026

Cri Misc No.814/2026

PETITIONER: 1. Sri Swapnil S/o.Krishna Bhosale,
Age:25 Yrs, Occ: Job,
R/o.Omkar Nagar, Machhe,
Tal and Dist Belagavi

(R/by Sri A.H.Gangai, Advocate)

//Vs//

Respondent: 1. The State of Karnataka,
Through Police, Sub-Inspector,
Belagavi Rural P.S.
R/by P.P. Belagavi

(R/by learned Public Prosecutor)

ORDER ON BAIL APPLICATION FILED
UNDER SECTION 483 OF B.N.S.S. 2023

This petition is filed under section 483 of BNSS, 2023
seeking for release of petitioner on bail in Cr. No.115/2026
registered by Belagavi Rural Police, for offences Under
Sections:109(1), 352 of BNS, 2023.

2. Facts of the case are as follows:

The Belagavi Rural Police have registered the aforementioned case on the basis of the information given by one Ratan Bhomani Ganamkar. It is alleged that on 07.05.2026 at 00.30 hours the petitioner herein had gone to the garage of the informant to ask for repayment of Rs.1,000/-. The petitioner asked the informant's brother to give back the money. The brother of the informant told that he does not have money and then went behind the garage to attend nature call. The petitioner herein followed him and abused him in foul language and assaulted him with machete 5-6 times on head with intention to murder him. The injured was taken to hospital and he was treated. Thereafter, the informant has lodged complaint. After the complaint, the petitioner was arrested on 07.05.2026 and produced before the Magistrate and on the request of the police, he was remanded to judicial custody. Now the present petition is filed.

3. The petition has been objected by the Learned Public Prosecutor by filing detailed written objections along

with report submitted by the police, praying to reject the bail petition.

4. Heard both sides.

5. In view of the submissions made by both sides, the following points arise for consideration are:

1. Whether the petition filed by the petitioner/accused under section 483 of BNSS deserves to be allowed?
2. What order?

6. My answer to the above points are as under:

Point No.1: In the affirmative,

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

REASONS

7. **POINT NO.1:** A close reading of the complaint and perusal of materials goes to show that there was financial transaction between the injured and the petitioner. It is the strained financial relationship that has culminated into the present criminal proceedings. The complaint averments reveal specific allegation of assault with weapon on head about 5-6 times. The material available on record goes to show the injured was discharged on the next day, which pre-supposes that there is no threat to his life. If the

complaint allegations are read carefully, the alleged incident has happened as the injured did not return the money. This clearly indicates that the incident has happened at the spur of moment. Whether the petitioner herein had assaulted the injured with an intention to cause death of injured is a matter of investigation and trial. As it is stated herein above, the injured is out of danger.

8. The petitioner herein is shown to be permanent resident of address shown in the cause title, which presupposes that his presence can be secured for the purpose of investigation and trial. The petitioner herein was arrested on 07.05.2026 and thereafter he was remanded to judicial custody at the request of the police. This indicates that custodial interrogation of the petitioner may not be required even in future also. No materials are placed to show criminal antecedents of the petitioner herein. Taking into account the period in which the petitioner herein in judicial custody and having regard to the nature and gravity of the offence and circumstances of the case, I am of the considered opinion that it is justifiable to grant bail to the petitioner herein. The

apprehension of the prosecution regarding tampering, alluring or threatening the witnesses could be meted out by imposing suitable conditions. Accordingly, point No.1 raised above is answered in the affirmative.

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

ORDER

The petition filed by the petitioner/accused under section 483 of BNSS is allowed.

The petitioner is ordered to be released on bail in Cr. No.115/2026 registered by Belagavi Rural Police, for the offences punishable under sections:109(1) and 352 of BNS, 2023 on execution of personal bond for Rs.1,00,000/- with one like-sum surety subject to following

Conditions:

1. The petitioner shall appear before the investigating officer whenever he is called upon for the purpose of investigation.

2. The petitioner shall appear before the Court on all the dates of hearing.

3. The petitioner shall not involve in any criminal activities.

4. The petitioner shall not make any effort directly or indirectly which would amount to

threatening, alluring or tampering with the prosecution witnesses, in whatsoever manner.

Violation of any of the aforementioned conditions will lead to cancellation of the bail.

Office is directed to communicate the order of grant of bail to the petitioner herein, through Email, through the Superintendent of concerned prison and the office shall make an endorsement to that effect in the order sheet.

(Dictated to the Stenographer Grade-III, transcribed by him, script corrected and then pronounced by me in the Open Court on this the 5th day of June, 2026)

**(SUBHASH SANKAD),
I ADDL. DISTRICT & SESSIONS
JUDGE, BELAGAVI**