

KABG420008602026



**IN THE COURT OF VII ADDL. DISTRICT AND SESSIONS
JUDGE, BELAGAVI SITTING AT CHIKODI.**

:: PRESENT ::

SRI. VIJAY KUMAR, B.Sc.,L.L.B,
VII Addl. District & Sessions Judge,
Belagavi sitting at Chikodi.

DATED THIS THE DAY OF 06TH JUNE, 2026

:: Crl. Misc.No.5281/2026::

PETITIONER:

Smt. Radha W/o. Raghu,
Aged about 26 years,
Occ: Flower Vendor,
R/o: Janata nagar, Hudugi, Bidar,
Bidar taluk, Dist: Bidar.

[By: Sri. S. G. Biradar, Advocate]

-V/s-

RESPONDENT:

State by: **Hukkeri P. S.**

[By: Public Prosecutor]

**ORDERS ON REGULAR BAIL PETITION FILED BY THE
PETITIONER/ ACCUSED U/S 483 OF BNSS, 2023.**

This bail petition filed U/Sec.483 of BNSS by accused
praying to enlarge him on regular bail in Crime No.78/2026

registered at Hukkeri Police Station for the offence punishable U/Sec.303(2) of BNS.

2. The brief facts of the prosecution case as under:-

The accused/petitioner has committed the theft of gold while posing as a passenger in a KSRTC bus. On 05.04.2026, when the CW-1 Rajashree was traveling with her daughter in a KSRTC bus from Jainapur to Udagatti to attend a marriage, the accused stolen 44 grams of gold necklaces, earrings, and chains between 08.45 a.m. and 12.30 p.m. near Rakshi Cross. The accused, by holding her child with an excuse, asked for a seat, saying that she wanted to feed milk to the child, and sat along with the complainant, and thereafter, the theft of gold ornaments occurred, and she got down from the bus midway at Rakshi Cross. After knowing the stolen gold ornaments, the complainant approached the Hukkeri police and lodged a complaint. After registration of the case, the police began the investigation and arrested the accused and produced her before the magistrate on 28.04.2026.

3. The accused seeking bail on the grounds that she has not committed any offenses as alleged in the complaint and there is a delay of 2 days in filling a complaint. The police have recorded voluntary statement of accused forcibly and recovered the amount which is her hard earned money. The accused is a flower vendor and she sells flower garlands, the police have illegally implicated her in this false case. There is no recovery of gold ornaments from the accused. The accused having 2 years old child, if bail is not granted it will be impact on the mind of small kid. The accused ready to abide by the condition by this court while releasing on bail and also undertake to co-operate the investigation. On these grounds the accused praying to allow the bail petition.

4. The learned Public Prosecutor filed objections along with I. O. report reiterating the complaint averments. It is stated that the petitioner has committed the serious offence and thus, required for custodial interrogation during investigation. It is further contended that there are no valid grounds to grant bail and therefore if enlarged on bail, the

petitioner may commit similar offenses, abscond from the jurisdiction of the Court, threaten the prosecution witnesses, destroy the evidence and hamper the trial. Among other grounds learned P. P. prayed to reject the bail petition.

5. Heard arguments on both sides. The following points that arise for my consideration;-

1. Whether the petitioner/accused has made out sufficient grounds to grant regular bail?

2. What order?

6. My answers to the above points are as follows:

Point No.1:-In the Affirmative.

Point No.2:-As per final order:

:- REASONS :-

7. Point No.1:- The Hukkeri police have registered a case in Cr.No.78/2026 against the accused for the alleged offense punishable U/Sec.303(2) of BNS.

8. The alleged offense is not punishable with death or life imprisonment. Even after arrest of the accused the police not recovered the alleged stolen gold ornaments and also not taken for police custody for interrogation to recover the stolen

golden ornaments. The investigation officer in his report stating that he has recovered only Rs.10,100/- from the accused. Whether the accused committed theft is matter for investigation. Keeping the accused behind the bar, no purpose will be served.

9. The accused is permanent resident of the address mentioned in the cause title of the petition. There is no criminal antecedents against the accused. Therefore this is a fit case to exercise discretionary power to grant bail to the accused on considering her two year child. Hence I answer point no.1 in the affirmative.

10. **Point No.2:** For the reasons given to point No.1, I proceed to pass the following:

:: O R D E R ::

The bail petition filed by the petitioner/
Accused U/Sec. 483 of BNSS is allowed.

The petitioner/Accused is ordered to be released on bail in Cr. No. 78/2026 registered by the Hukkeri Police station for the offence punishable U/Sec.303(2) of BNS, on executing

personal bond of Rs.50,000/- with one **local surety** for like sum to the satisfaction of the Jurisdictional Magistrate with the following;

:: CONDITIONS ::

1. The accused/petitioner shall report before the concerning Investigation officer as and when required, without fail.
2. She shall mark her attendance before the Investigation officer/SHO between 9-00 AM to 5-00 PM on 1st Monday of every month till final report submitted or six months whichever is earlier.
3. She shall appear before the court on all hearing dates regularly.
4. She shall not threaten or tamper the prosecution witnesses in any manner.
5. She shall not indulge in any offence in future.

(Dictated to the Stenographer Grade-III, transcribed and typed by her, corrected by me and then pronounced in the open Court on this the 06th day of June, 2026)

(SRI. VIJAY KUMAR)

VII Addl. District and Sessions Judge,
Belagavi, sitting at Chikodi.