

KABG420008812026



**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 09th June 2026

Crl. Misc.No.5289/2026

- PETITIONERS:** 1) Shri. Vickykumar S/o. Umesh Singh,
C/o. Sidrai B. Tumari,
Age: 25 years,
Occ: Private service,
R/o: Sambhaji ghalli, Siddeshwar
Nagar,
Kakati, Tal: & Dist: Belagavi.
- 2) Shri. Ainath S/o. Jyotiba Patil,
Age: 25 years, Occ: Private service,
R/o: #77 Maruti galli, Sulaga,
Tal: & Dist: Belagavi.
- 3) Shri. Prakash S/o. Jotiba Patil,
Age: 30 years, Occ: Private service,
R/o: Maragai galli, Sulaga,
Tal: & Dist: Belagavi.

[By: Sri. C.G. Gandh, Advocate]

-V/s-

RESPONDENT: State by: **Yamakanmardi P.S.**

[By: Public Prosecutor]

**ORDERS ON ANTICIPATORY BAIL PETITION FILED BY
THE PETITIONERS/ ACCUSED NO. 1, 12 AND 13 U/S 482
OF BNSS, 2023.**

This bail petition filed U/Sec.482 of BNSS by accused persons praying to enlarge them on anticipatory bail the event of their arrest in Crime No. 96/2026 registered at Yamakanmardi Police Station for the offence punishable U/Sec. 126(2), 115(2), 140(3), 310(2), 311 of BNS.

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

On 18.03.2026, Pundalik Kallappa Basaragi and Maruti Mode had purchased two bullocks and two oxen in Jamakhandi Jatra and were returning in a Bolero vehicle bearing No. KA-49/5069 on 18-03-2026 at about 5 p.m. During January towards Bommanhatti at about 10.45 p.m., when they passed the toll in Narasingpur, 5 to 6 persons came in their cruiser vehicle, stopped the vehicle of the complainant and started abusing and assaulting them. Then

Pundalik was taken in the cruiser vehicle, while the complainant was made to sit in the Bolero vehicle and taken to the forest area; he was assaulted with clubs, causing injuries to his head and ears. Further, an amount of Rs. 50,000 was snatched from the complainant, and then the accused persons took the Bolero vehicle along with oxen and bullocks. After two hours, at about 3 a.m., the accused persons returned the Bolero vehicle and warned the complainant by giving a threat, stating that he should straightaway go to his house. Thereafter, the complainant lodged a police complaint against 5 to 6 unknown persons, making the allegations that he was kidnapped from Narasingpur to Kakati, and they have beaten him, and in the said incident, he was taken for treatment at Belagavi District Hospital. Based on the above complaint, Yamakanmardi police registered a case and began an investigation. Now the accused No. 1, 12 and 13 filed this petition seeking anticipatory bail, contending that they are innocent and have not committed any offences as alleged and that there was a

delay in lodging the complaint of more than 24 hours. The police were trying to arrest them without any reasons. Their name is not mentioned in the FIR or in the complaint. Accused No. 2, 4 to 9, have been released on bail as per the order passed by the Hon'ble High Court in Cri. Petition No. 100916/2026. Further, accused Nos. 2 to 10 have filed Cri. Petition No. 100775/2026 before the Hon'ble High Court of Karnataka, wherein they get a stay of further investigation. Accused No. 10 released on bail by this court. Based on all these grounds, accused persons prayed to allow the petition.

3. Learned public prosecutor filed objections wherein he has reiterated the contents of the FIR. Further it is stated that there is likelihood of threatening the prosecution witnesses and flee away from justice. Accused persons are financially and politically influenced and they are not law abiding citizens. On these grounds it is prayed to reject bail petition.

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

1. Whether the petitioners/accused No.1, 12 and 13 have made out sufficient grounds to grant anticipatory bail?
2. What order?
5. My answers to the above points are as follows:
Point No.1:-In the affirmative,
Point No.2:-As per my final order:

:- REASONS :-

6. **Point No.1:-** On perusal of materials available on record, the Yamkanmardi police were registered a case in Cr.No. 96/2026 against the accused Persons for the offenses P/U/Sec. 126(2), 115(2), 140(3), 310(2), 311 of BNS.

7. The specific allegation made in the complaint is that the accused persons took away four cattle and vehicles belonging to the complainant; later the vehicle was returned to him. Learned counsel for the petitioner argued that four cattle were saved from animal cruelty, and only for the purpose of saving the cattle, the accused persons took away the vehicle with the intention to commit theft of either the vehicle or the cattle. It is further submitted that there would not be any intention on the part of the accused persons to

commit theft. Further, learned counsel brought to the notice of this court that the Hon'ble High Court of Karnataka, Dharwad Bench in Cri. Petition No. 100775/2026 has granted a stay to the further investigation in this crime. In such a circumstance, if the petitioners are not released on bail, as the investigation is halted in view of the stay granted, the petitioners will be apprehended of arrest by the police at any time. Therefore, without expressing any opinion on the merits of the case, this court is of the opinion that it is fit case to excise the discretionary power to grant anticipatory bail. Hence, I answer point no. 1 in the affirmative.

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

ORDER

The bail petition filed by the petitioners/ Accused No. 1, 12 and 13 U/Sec. 482 of BNSS is allowed.

The respondent police is directed to release the petitioners/accused No.1, 12 and 13 in the event of their arrest in Crime No. 96/2026 registered by Yamkanmardi police for the offence

punishable U/Sec. 126(2), 115(2), 140(3), 310(2), 311 of BNS on executing personal bond of Rs.50,000/- each with one surety for like sum to the satisfaction of the investigation officer/Jurisdictional court with the following conditions;

1. The petitioners shall appear before the investigation officer within 30 days from the date of this order to execute bail bond.
2. They shall regularly appear before the court during the trial without fail unless exempted by court for valid reason.
3. They shall not directly or indirectly tamper the prosecution witnesses.
4. They shall co-operate with the Investigation Officer and appear before them whenever called upon.
5. The petitioners shall not involve in similar offence in future.

(Dictated to the Stenographer, transcribed and typed by her, corrected by me and then pronounced in the open Court on this the 09th day of June, 2026)

(SRI. VIJAY KUMAR)

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