

KABG420008912026



**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.5297/2026::

PETITIONERS:

1. Shri. Vishal S/o. Vittal Mudhol,
Aged about: 25 years,
Occ: Agriculture,
R/o: Mugalkhod, Pin Code: 591235,
Tq: Raibag, Dist: Belagavi,
Aadhar No : 2274 2187 2046.

2. Shri. Shridhar S/o. Vittal Pujeri,
Aged about: 27 years,
Occ: Agriculture,
R/o: Mugalkhod, Pin Code:591235,
Tq: Raibag, Dist: Belagavi,
Aadhar No : 9989 3310 7595,

[By: Sri B. A. Kotabagi, Advocate]

-V/s-

RESPONDENT:

State by: **Harugeri P. S.**

[By: Public Prosecutor]

**ORDERS ON REGULAR BAIL PETITION FILED BY THE
PETITIONERS/ACCUSED NO.1 AND 2 U/S 483 OF
BNSS, 2023.**

This bail petition filed U/Sec.483 of BNSS by accused no. 1 and 2 praying to enlarge them on regular bail in Crime No.206/2026 registered at Harugeri Police Station for the offence punishable U/Sec. 189(2), 191(2), 115(2), 126(2), 137, 329(4), 76, 351(2), 352, 62 r/w Sec.190 of BNS.

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

The complainant had already filed a false complaint against the accused no.1 to 4, either out of anger or with an intention of causing nuisance to her on 20.05.2026 at about 03.40 p.m. the accused no. 1 to 4 along with one Gaju came to the house of the complainant in their respective vehicles and dragged her away with an intention to kidnapping her. When the complainant started shouting, the accused no.1 and 2 slapped her on the chest with their hands and grabbed saree of the complainant's mother, who came to untie of rope, the accused persons dragged her, insulting her dignity

and also modesty of woman. The accused no.1 and 2 grabbed the complainant's father in the road, slapped him with their hands and knocked him down and kicked him with their feet. When the accused no.1 started shouting showing finger to the complainant that she is a prostitute and also gave life threat to her stating that if she does not withdraw the case against them they will kill her. Based on the above complaint police registered the case and started investigation. During the investigation the police arrested the accused no. 1 and 2 and produced before the magistrate on 25.02.2026.

3. The accused persons seeking bail on the grounds that they were falsely implicated at the instance of complainant to take revenge against them. In the alleged incident neither the complainant nor her parents taken treatment in any of the the hospital. The accused persons not committed women of modesty either the complainant or her mother and they have never visited the house of the complainant. They came with respected family and they will abide by the conditions that may be imposed while releasing them on bail and also they

undertake to co-operate the investigation. On theses grounds accused persons prayed to allow the petition.

4. On the other hand learned Public Prosecutor filed objections along with I. O. report by reiterating the complaint averments. It is contented that the complainant lodged a police complaint against the petitioners in Cr. No.132/2026 and they are release on bail in Cri. Misc. No.5193/2026 and in that petition this court imposed some conditions while granting bail. The accused no.1 and 2 violating the conditions in that case, committed the offense. If the petitioners are released on bail there is chances of kidnapping the complainant and committing similar offenses and also threatening prosecution witnesses. On these 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 petitioners/accused no.1 and 2 have 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 Harugeri police have registered a case in Cr.No.206/2026 against the accused for the alleged offense punishable U/Sec.189(2), 191(2), 115(2), 126(2), 137, 329(4), 76, 351(2), 352, 62 r/w Sec.190 of BNS.

8. On the perusal on the complaint it discloses that there was a dispute between the accused and complainant family and also delay in filing complaint for more than 24 hours. The complaint averments discloses that accused no.1 to 4 along with one Gaju criminally trespassed the house of the complainant, assaulted, committed woman modesty, against the complainant and her parents. Except section 76 of BNS, all offenses are bailable in nature and not punishable with death or life imprisonment. After registering FIR in the remand application the police have inserted some other

offenses. However all offenses neither punishable with death or nor punishable for life imprisonment.

9. The accused no.1 and 2 are in judicial custody since 22.05.2026. The accused persons are permanent residents of the address mentioned in the petition. Even though there is a criminal antecedents against them it is only dispute related to the land and it will not affect the society. Mere dragging the complainant in a house it does not attract offense of woman modesty. The accused persons undertaken to co-operate with the investigation and keeping them behind the bar, no purpose will be served. If the accused persons keeping behind the bars it amount pre-trial conviction, therefore it is a fit case to exercise discretionary power to grant bail. 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 petitioners/ Accused No.1 and 2 U/Sec. 483 of BNSS is allowed.

The petitioners/Accused No.1 and 2 is ordered to be released on bail in Cr. No. 206/2026 registered by the Harugeri Police station for the offence punishable U/Sec.189(2), 191(2), 115(2), 126(2), 137, 329(4), 76, 351(2), 352, 62 r/w Sec.190, on executing personal bond of Rs.50,000/- each with one surety for like sum to the satisfaction of the Jurisdictional Magistrate with the following;

:: CONDITIONS ::

1. The accused no. 1 and 2/petitioners shall report before the concerning Investigation officer as and when required, without fail.
2. They shall mark their 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. They shall appear before the court on all hearing dates regularly.

4. They shall not threaten or tamper the prosecution witnesses in any manner.
5. They 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 09th day of June, 2026)

(SRI. VIJAY KUMAR)

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