

KABI010022392026



**IN THE COURT OF I ADDITIONAL DISTRICT &
SESSIONS JUDGE AT BALLARI**

DATED THIS THE 08th DAY OF JUNE, 2026

: PRESENT :

Sri. H.A. Mohan, **B.A.L., LL.B.**,
I Addl. District & Sessions Judge, Ballari

CRL. MISC. No.534/2026.

PETITIONER :-

Rajesh S/o. Ramanjini, Aged about 20
years, R/o. Ward No. 35, Siruguppa Road,
Near Ramulamma Temple, Havambhavi,
Ballari.

(By Sri. Nagendra., Advocate)

//Vs//

RESPONDENT :-

The State by, the Sub-Inspector of Police,
Excise Police Station, Range-1, Ballari
Sub-Division, Ballari.

(By Public Prosecutor, Ballari)

ORDER

This is a petition filed by petitioner/accused, under
Section 482 of BNSS, 2023, in Crime No.71/2025-26 of
Excise Police Station, Range-1, Ballari, seeking grant of
anticipatory bail, in the event of his arrest.

2. It is stated that, the petitioner was not at all transporting the arrack as alleged in the complaint. A false story has been created and registered the false case.

3. The petitioner is a law abiding citizen and hails from respectable family. He is the earning member of the family and he is the permanent resident of the address given and he is owing properties. Hence, there are no chances for flee away from justice. He has threat of arrest. The alleged offences are not punishable with death or imprisonment for life. He is ready to abide by the any of the conditions that may be imposed. Accordingly, prayed to allow the petition.

4. This petition is resisted by the learned Public Prosecutor by filing the objections along with I.O. report. It is stated that, while transporting the arrack by the petitioner to the tune of 18 liters, he was got red-handed and seized the articles along with vehicle. He had no license to sell the arrack. There are material to show that he was illegally selling the arrack. He has not co-operated for investigation. Therefore, he is not entitled for

anticipatory bail. Accordingly, prayed to dismiss the petition.

5. Heard the learned counsel for the petitioner and learned P.P.

6. The following points that arise for my consideration:

1. Whether petitioner has made out grounds for granting anticipatory bail?

2. What order?

7. 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

8. **Point No.1** :- After having heard both sides, I have perused the records. Even if the case of the prosecution is believed and accepted, at this stage, there is no whisper as to why the petitioner was not arrested at that place when the alleged arrack with motorcycle was seized. Mahazar has been drawn and seized the arrack. So, major portion of the investigation has been completed. The

petitioner is having a threat of arrest. The criminal antecedents of the petitioner, has not been pleaded by the I.O. The alleged offences are not punishable with death imprisonment for life. Hence, I am of the opinion that by imposing some stringent conditions he may be enlarged on anticipatory bail. Hence without much discussion, I hold that, the petitioners are entitled for bail. Accordingly, I answer point No.1 in the Affirmative.

9. **Point No.2** :- In the result, I proceed to pass the following:

ORDER

The petition filed by the petitioner/accused under section 482 of BNSS, are hereby allowed.

It is ordered that the petitioner/accused shall be enlarged on anticipatory bail pertaining to Crime No.71/2025-26 of Excise Police Station, Range-1, Ballari for the offence punishable under section 11, 14, 32(1), 38(A), 43 of Karnataka Excise Act on his executing personal bond for Rs.50,000/- and one surety for like sum, in the event of his arrest on the following conditions.

1. The petitioner shall surrender before the police within 10 days from the date of this order

to assist the police for conducting investigation, in accordance with law.

2. The petitioner shall give his attendance before the concerned police, once in 15 days i.e., on Saturday in between 10.00 a.m. to on 5.00 p.m. till filing of the final report.

3. The petitioner shall not tamper the prosecution witnesses directly or indirectly.

4. The petitioner shall not involve in any type of criminal activities.

5. The petitioner shall not flee away from justice.

If any conditions are violated by the petitioner, the anticipatory bail shall stand automatically canceled.

(Dictated to the Stenographer Grade-III, transcribed by him, script corrected and then pronounced by me in the Open Court on 08th day of June, 2026)

(H.A.Mohan)

I Addl.District & Sessions Judge,
Ballari.