

KABIO10020122026



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

DATED THIS THE 5th DAY OF JUNE, 2026

: PRESENT :

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

CRIMINAL MISCELLANEOUS No.446/2026

PETITIONER/ Accused No.1 :-

Mohammed Hussain
S/o Maqbool Basha,
Aged about 23 Years,
R/o Ward No.27,
Abdul Salam Street,
Cowlbazar, Ballari.

(By Sri. S. Rangaswamy., Advocate)

//Vs//

RESPONDENT :-

The State by the P.S.I.,
Cowlbazar Police Station,
Ballari.

(By Public Prosecutor, Ballari)

ORDER

This is a petition filed by the petitioner/accused No.1 under Section u/Sec.482 of B.N.S.S., 2023 in Crime No.98/2026 of Cowlbazar police station, Ballari, for the offences punishable under Sections 189(2), 191(2), 191(3), 115(2), 118(1), 109, 74 R/w Section 190 of of the Bharatiya Nyaya Sanhita (B.N.S.) 2023, seeking grant of anticipatory bail, in the event of his arrest pertaining to that crime.

2. It is stated that, the petitioner is innocent, law abiding citizen and having deep roots in the society. He has not committed the alleged offences. There are no materials to connect the petitioner to this case. But, a false complaint dated 24.4.2026 has been filed by alleging that on 23.4.2026, the petitioner and others made an attempt to murder complainant and assaulted him. There is delay in lodging the complaint.

3. It is further stated that the other accused have already been released on bail. The investigation has been carried out to a maximum extent. The presence of this

petitioner for custodial interrogation is not required. He is ready to co-operate with any type of investigation. He is ready to abide by any of the conditions that may be imposed. Accordingly, prayed to allow the petition.

4. This petition is resisted by learned Public prosecutor by filing the objections along with I.O. Report. It is stated that, this petitioner is the main person who has committed the offences along with other accused persons. He has abused the complainant and made an attempt to kill him. He has also assaulted with Knife and caused grievous injuries. He has been absconded and not co-operated for investigation. He is a powerful person in the locality and hence, there are chances of destroying the evidence and tampering the prosecution witnesses. Accordingly, prayed to reject the petition.

5. Heard the learned counsel for the petitioner and the learned Public Prosecutor.

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. It is seen that this complaint was submitted on 24.4.2026 at 12:30 P.M., with regard to incident took place on 23.4.2026 at 10:00 P.M. Delay has not been properly explained. Whether MLC was registered immediately after the injured went to hospital or not has not been whispered. The alleged offences are not punishable with death or imprisonment for life.

9. During the course of arguments, the learned counsel for petitioner has submitted a copy of order dated 16.5.2026 passed by my learned predecessor pertaining to this Crime number. A perusal of the said order, it

discloses that my learned predecessor has already granted anticipatory bail in favour of six persons i.e., Accused Nos.2 to 7 by imposing certain conditions. During the course of order, it has been observed that major portion of the investigation has already been completed. Therefore, on the ground of parity, without much discussion, this petitioner may also be enlarged on anticipatory bail by imposing some stringent conditions. Accordingly, I answer the above point in the Affirmative.

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

ORDER

The petition filed by the petitioner/Accused No.1 U/Sec.482 of BNNS, 2023, is hereby allowed.

The respondent police shall release the petitioner/Accused No.1 on bail in the event of his arrest in Crime No.98/2026 of Cowlbazaar Police Station, for the offences punishable U/Sec.189(2), 191(2), 191(3), 115(2), 118(1), 109, 74 R/w Sec.190 of BNS, 2023, pending on the file of learned 2nd Addl. Civil Judge & JMFC, Ballari, on petitioner executing personal bond

for a sum of Rs.50,000/- with one surety for like-sum to the satisfaction of the Learned Magistrate on the following further conditions:

CONDITIONS

(1) The petitioner shall appear before the Investigating Officer within two weeks from the date of this order and he shall furnish all necessary information and documents to the Investigating Officer.

(2) The petitioner shall appear before the Investigating Officer as and when called for and he shall co-operate with investigation of the case.

(3) The petitioners shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or any police officer.

(4) The petitioners shall not try to destroy evidence.

(5) The petitioner shall not leave India without prior permission of jurisdictional magistrate.

(6) The petitioner shall not commit any offence of similar or any other offence in future.

Violation of any of the aforesaid terms and conditions would entitle for cancellation of bail of the petitioner.

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

(H.A. Mohan)

I Additional Sessions Judge,
Ballari.

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