

KABK010007122026



IN THE COURT OF PRINCIPAL DISTRICT AND SESSIONS  
JUDGE, BAGALKOTE

Present: Sri. N.V. Vijay, B.A. LL.B. (Hons.),  
Prl. District and Sessions Judge,

Dated this the 16<sup>th</sup> day of March, 2026

Criminal Miscellaneous No.105/2026

Petitioner

: Smt. Netravati W/o Somashekhar  
Killikyatar,  
Age: 29 years, Occ: Coolie  
R/o: Kakanur,  
Tq: Badami, Dist: Bagalkote.

(Sri V.S. Menasagi, Advocate)

Vs.

Respondent

: The State of Karnataka,  
By Badami Police Station.

(Public Prosecutor, Bagalkote)

ORDER

This is the petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking regular bail in Badami Police Station Crime No.24/2026 registered for the offences punishable under Section 103(1) of the

Bharatiya Nyaya Sanhita (BNS), 2023.

2. In the petition it is averred that she is innocent but has been falsely implicated in this case just to harass her. She is absolutely no prima-facie materials to connect petitioner with alleged offences. The petitioner is permanent resident of the address given in the cause title and has got both movable and immovable properties. She is ready and willing to abide by the conditions imposed by this court and ready to furnish solvent surety to the satisfaction of the Court. Hence, prayed to allow the petition.

3. On the contrary, the learned Public Prosecutor has filed objections by narrating the facts of the case and has contended that the complaint averments clearly disclose the fact that the petitioner has committed the offence. If the petitioner is enlarged on bail, there is possibility of destroying the evidence and threatening the prosecution witnesses. Hence prayed to reject the petition.

4. Heard the arguments of both sides.

5. The point that arises for my consideration is:

Whether the petitioner is entitled to regular bail ?

6. My answer on the above point is in the affirmative, for the following:

REASONS

7. A complaint is lodged by one Ashok Killikyatar on 02.02.2026 alleging that on 01.02.2026 the accused by name Sanju had taken the informant's brother deceased Somashekhar along with him to Kulageri cross by stating that he had some coolie work for the informant's brother and in between 9.30 a.m., on 01.02.2026 and at about 7.00 a.m., on 02.02.2026 the accused had committed murder of the deceased in the farm land belonging to Shankaragouda by dropping stone on the head of the deceased, due to which informant's brother had succumbed to injuries. Hence, the complaint.

8. On perusal of the complaint averments it reveals that the case of the prosecution rests upon the circumstantial evidence. The present petitioner is the wife

of deceased and on perusal of the case diary filed along with objections it discloses that the accused had an illicit relationship with the petitioner by name Netravati and at the instigation of the petitioner the accused Sanju had committed murder of the deceased Somashekhar. Therefore, at this juncture, except for the voluntary statement of the accused nothing is forthcoming on record which discloses to the fact that the present petitioner had instigated the accused Sanju to commit murder of her husband Somashekhar. It is also relevant to note that the present petitioner is a woman and at this stage no specific allegations are forthcoming against the petitioner about her involvement in the murder of deceased Somashekhar. The Aadhar Card of the petitioner discloses that the petitioner has 3 minor children to be looked after. In the said circumstances, I am of the opinion that at this stage nothing is forthcoming on record which discloses that the petitioner was directly involved in committing crime along with accused No.1. Though, the alleged offence is heinous in nature, but considering the fact that the entire case of

the prosecution rests upon circumstantial evidence also in view of the fact that the petitioner being woman and having responsibility of 3 minor children. Hence, I am of the opinion that the petitioner can be enlarged on regular bail. Accordingly, the point No.1 is answered in the affirmative and pass the following:

ORDER

The petition filed by the petitioner under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 is hereby allowed.

The petitioner is ordered to be released on bail in respondent Police Office Crime No.24/2026 on her executing personal bond of Rs.50,000/- with one surety for likesum with following:

CONDITIONS

1. The petitioner shall not tamper with the prosecution witnesses in any manner.
2. The petitioner shall regularly appear before the Court on all the dates of hearing.
3. The petitioner shall not commit similar or other offences.

4. The petitioner shall not leave India without prior permission of the court.

(Dictated to the Stenographer Grade-III, transcribed & typed by her, corrected, signed and then pronounced by me in the open court on this the 16<sup>th</sup> day of March, 2025.)

(N.V. Vijay)

Prl. District and Sessions Judge, Bagalkote.