

KABK010004132022



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 10<sup>th</sup> day of March, 2026

Criminal Miscellaneous No.125/2026

Petitioners

- 1) Sandeep S/o Siddappa Gherade,  
Age: 38 years, Occ: Business,  
R/o: Jainpeth, Near  
Shankarling temple, Bagalkote,  
Tq: & Dist: Bagalkot.

(Sri S.S. Marishetti/V.B. Lamani, Advocates)

Vs.

Respondent

: The State of Karnataka,  
By Bagalkot town Police Station.

(Public Prosecutor, Bagalkote)

ORDER

This is the petition filed under Section 483 of  
Bharatiya Nagarik Suraksha Sanhita, 2023 seeking regular  
bail in Bagalkot town Police Station Crime No.16/2026

registered for the offences punishable under Sections 125, 189(1), 324(4), 191(3) and 191(2) read with section 190 of the Bharatiya Nyaya Sanhita (BNS), 2023.

2. In the petition it is averred that he is innocent but has been falsely implicated in this case just to harass him. There are 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. He 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 offences. 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 negative, for the following:

REASONS

7. A sue-moto complaint is lodged by Sri A.M. Waghmode, P.I. of Bagalkot town P.S. on 22.03.2026 alleging that about 8 to 10 persons on 20.02.2026 at about 12-30 p.m., started a commotion on the ground that on 19.02.2026 on the eve of "Shri Shivaji Maharaj Jayanti" its community people procession was heading in front of Panka Masjid, at that time, some miscreants had tried to pelt the stone on the ground and subsequently started pelting stones on the public property existing around said place and also tried to cause loss to the public property. Hence, the complaint.

8. It is an unfortunate situation that a deliberate act to cause disharmony among the two community groups people occurred by making use of the incident, which occurred on the previous date by pelting stones. Learned

P.P. has filed a memo along with C.D. which discloses that about 8 to 10 persons started a commotion near Bagalkot mutton market by pelting stones on tin sheds and the shops existed there.

9. At the outset, it is an unfortunate situation that people are still fighting over the religion, when the whole world is moving forward with development. Situation like this cause communal disharmony in the society and has to be curtailed. It is no doubt true that bail is a rule and jail is an exception. While consideration of bail application the act of the accused persons should also be taken into consideration.

10. The act of the present petitioner along with other accused persons is a repercussion responding in retaliation to the earlier incident happened on 19.02.2026 to wreck vengeance.

11. It is also relevant note that this act of causing damage and loss to the public property in order to disturb peace and tranquility has to be dealt very seriously as it would have led to communal violence between two

community groups.

12. It is also relevant note that due to the incident occurred on 19.02.2026 order Under Section 163 of B.N.S.S.. was clamped in the entire Bagalkot and nearly about 3 thousand police personnel were summoned for Bandobast, beside that 5 Superintend of Polices from different districts were deployed to Bagalkot to prevent the communal disharmony. Incident like this has caused huge exchequer to the State and the entire Bagalkot town was grappling under tense situation for nearly about 3 days. In the said scenario, I am of the opinion that act of the accused persons has to be dealt seriously and such an act should be curbed at the threshold itself.

13. It is also relevant to note that if such persons including petitioner is enlarged on bail, that too in the midst of investigation, it would send a wrong message to the society. As the matter is still at the stage of investigation, petitioner does not deserve bail at this stage, as in the heat of commotion another happening of untoward incident cannot be brushed aside. Accordingly,

the point No.1 is answered in the negative and pass the following:

ORDER

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

(Dictated to the Stenographer Grade-I, transcribed and typed by him, corrected, signed and then pronounced by me in the open court on this the 10<sup>th</sup> day of March, 2026.)

(N.V. Vijay)  
Prl. District and Sessions Judge, Bagalkote.