

**IN THE COURT OF VI ADDL. DISTRICT & SESSIONS  
JUDGE, BENGALURU RURAL DISTRICT,  
BENGALURU.**

**Dated this the 17<sup>th</sup> day of March, 2026**

**PRESENT**

**Sri. Devananda B.Com., LL.M.**  
VI Addl. District & Sessions Judge,  
Bengaluru Rural District, Bengaluru.

**Crl.Misc.No.440/2026**

Petitioners: 1. Shri. Anurag Srivastav  
S/o Sri. Ramesh Lal Srivatsav,  
Aged about 35 years,

2. Ashish Srivastav,  
S/o Sri. Ramesh Lal Srivatsav,  
Aged about 36 years,

Both are R/at No.218, House No.5,  
Third floor, RNS Arcade,  
60 ft road, AGB Layout,  
Chikkasandra, Chikkabanavar,  
Bengaluru – 560 090.

Permanent Resident of Bhatwalia  
Ward No.4, Deoria District,  
Uttarpradesh.

**(Rep. By D.Mafhukar, Advocate)**

-Vs-

Respondent: State by Soladevanahalli  
Police Station.

**(By learned Public Prosecutor)**

**ORDER**

This petition is filed by the petitioners/accused U/Sec.482 of BNSS seeking a direction to respondent-Police to release them on bail in the event of their arrest in Crime No.78/2026 registered by the respondent-police for the offences punishable U/secs. 118(1), 3(5) and 352 of BNS.

2. The facts averred in the complaint preferred by the complainant discloses that, the complainant's friend, Rajak Khan, called Anurag Shrivastava to discuss a gossip-related issue that occurred at a tea point near AGB Layout. During the call, Anurag Shrivastava allegedly used abusive language and challenged Rajak Khan to come near his house. When the complainant's friend went near Lavesh Bakery, Anurag Shrivastava and Ashish Shrivastava

attacked him with wooden sticks. Rajak Khan sustained bleeding injuries to his head and legs as a result of the assault. The complainant and his friends arrived at the scene and took Rajak Khan to the nearby N.R.R. Hospital for treatment. A formal complaint was filed requesting legal action against the accused, and an investigation has been initiated.

3. Based on the said information, the respondent-Police have registered the FIR against the accused for the above said offences. Now, the petitioners who are accused of commission of offences alleged, apprehending their arrest at the hands of respondent-Police, has filed this petition seeking pre-arrest bail on the following amongst other grounds:

The petitioners (Accused No. 1 & 2) claim the allegations of assault are false, baseless, and exaggerated. They contend the incident was merely a minor verbal altercation arising from a misunderstanding or "trivial gossip" at a tea stall. They state they did not assault the victim, Razzak Khan; rather, he fell and voluntarily hurt

himself during a heated argument. The petitioners argue the case was filed to settle personal scores, harass them due to local disputes, or pressure them through intimidation. The alleged offences are triable by a Magistrate and do not carry penalties of death or life imprisonment. The petitioners argue that custodial interrogation is unnecessary as no recovery of items is required and the investigation can be effectively conducted without detention. They claim the complainant suppressed true facts and presented a distorted version of events, making the case an abuse of the legal process. The petitioners are permanent residents with families and deep roots in their society, making them unlikely to abscond or evade the law. They undertake to cooperate fully with the investigation, appear before the Investigating Officer when required, and provide any necessary documents. They promise not to influence, threaten, or induce prosecution witnesses and maintain good behavior to avoid prejudicing the trial. They are willing to abide by any conditions imposed by the Court, including executing bonds and furnishing sureties. The petitioners argue that denying bail

would cause "unnecessary harassment, humiliation, and loss of reputation". They contend that an arrest under these specific circumstances would amount to pre-trial punishment and cause irreparable damage to their personal and professional lives. Based on the aforesaid grounds he seeks for allowing of the petition.

4. The bail petition was opposed by the learned Public Prosecutor for state by filing his objections. It is mainly contended that, the petitioners have not assigned the valid reasons and he denied the facts alleged. The concerned police have registered the case against the petitioners. It is urged that, in the event of releasing of petitioners on pre-arrest bail, they may cause threat or intimidate the complainant or the witnesses and preventing them to depose evidence before the court and they will engage in committing of similar offence and causing threat to the prosecution witnesses. In the event of releasing of petitioners on pre-arrest bail they may destroy the evidence or proof and may prevent the witnesses to depose evidence. They may repeat the similar offence. Based on the aforesaid grounds of objections, the prosecution seeks

for rejection of anticipatory bail petition.

5. Heard arguments on both sides. Perused the records.

6. The following points that arise for consideration of this court are:

1. Whether the petitioners have made out sufficient grounds for grant of anticipatory bail?
2. What order?

7. The finding of this court on the above said 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:** The petitioners along with petition has produced certified copies of FIR, information, remand application, requisition, arrest report and copy of Adhaar card.

9. The petitioners are accused of commission of offences punishable U/secs. 118(1), 3(5) and 352 of BNS. As the offences U/secs. 118(1), 3(5) and 352 of BNS are cognizable, apprehension of accused-petitioners of their arrest is well founded. As such, they can maintain this petition.

10. The learned counsel for petitioners urged that, the petitioners have not committed any offence as alleged by the informant. The informant has lodged false information against the petitioners. On the other hand, the learned PP submitted that, there is prima-facie case against the petitioners. If they are released on bail, there are chances of petitioners giving threat to the witnesses, destroying of evidence, abscond permanently and derail the investigation process.

11. On examination of over all materials placed before the court by the investigating agency through prosecution as well as by the petitioners, it could be ascertained that the offences alleged against the accused are not punishable with death or imprisonment for life and

triable by Court of Judicial Magistrate. Further, there are no previous criminal antecedents found against the accused/petitioners. Further regarding still obtaining treatment by the injured at hospital no materials placed before the court. There are no chances of absconding of the accused/petitioners. There are no chances of causing interference to the complainant or to the prosecution witnesses. There are no chances of destroying the evidence or proof of prosecution. The accused petitioners are appears to be the permanent residents of the address mentioned in cause title. Therefore, this court is of the opinion that the petition preferred by the petitioners merit the consideration of this court and deserves to be allowed in the interest of justice as the petitioners have made out sufficient grounds to consider their petition and hence, this court hereby answers the Point No.1 in the **Affirmative**.

12. **POINT NO.2:** In view of the discussions and findings to above said point no.1, this court proceed to pass the following:

**ORDER**

Petition filed by petitioners/accused U/Sec.482 of BNSS is hereby allowed.

Consequently, in the event of arrest of petitioners/accused in Crime No.78/2026 of Soladevanahalli Police Station, they are ordered to be released on bail, on they executing personal bonds for a sum of Rs. 1,00,000/- each and with a surety for like-sum each to the satisfaction of the Investigating Officer/Police Officer on the following conditions:

1. The petitioners shall appear before the Investigating Officer on or before one month from the date of this order and in that event Investigation Officer to take bond and to release him.
2. They shall appear before investigating officer as and when called upon and to extend fullest co-operation in the investigation.
3. They shall not cause threat to the prosecution witnesses in any manner.

4. They shall not indulge in similar offences in any manner.

(Dictated to the Stenographer transcribed by her and transcript, corrected by me and then pronounced in open Court on this the **17<sup>th</sup> day of March, 2026**)

**(Devananda)**

VI Addl. District & Sessions Judge.,  
Bengaluru Rural District, Bengaluru

Order pronounced in open court  
(vide separate order sheet)

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VI Addl. District & Sessions Judge.,  
Bengaluru Rural District, Bengaluru