

KABR010012282026



**IN THE COURT OF THE PRINCIPAL DISTRICT AND
SESSIONS JUDGE, BENGALURU RURAL DISTRICT,
BENGALURU**

Present:

Smt.B.S. REKHA., B.A.(LAW), LL.M.
Principal District & Sessions Judge
Bengaluru Rural District,
Bengaluru.

Dated this the 24th day of March, 2026

Criminal Misc.No.462/2026

Petitioners: 1. Ramanjinappa,
S/o Late Muniswamappa,
Aged about 65 years,
R/at Kallahalli village,
Kubalahalli Post,
Kasaba Hobli,
Hosakote Taluk,
Bengaluru Rural District.

(By Sri. Ambrish- Advocate)

-VERSUS-

Respondent: The State by Hosakote Police.

(By learned Public Prosecutor)

ORDER

The learned counsel for petitioner has filed this petition U/S.482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter called as BNSS, 2023, for convenience) praying for anticipatory bail in the event of his arrest in C.C.No.7044/2024 for the offences punishable U/S.223 of BNS, 2023; U/Ss.4(1), 9, 21(1), 23(c)(1)(e)(j), 24(1)(e) of MMRD Act and Rules 3, 36, 42, 43(5)(7), 43(a), 44, 24(1)(a)(b) of KMMC Rules pending on the file of Prl. Civil Judge & JMFC, Hosakote.

2. Brief facts of the case of prosecution are that the complainant received credible information that the petitioner and other have illegally taken the sand/soil from the Government Gomala land bearing Sy.No.1 of Kallahalli village, Kasaba Hobli, Hosakote Taluk, Bengaluru Rural District and caused loss to the Government to the tune of ₹.15,75,600/- and other

charges. Thereafter, a criminal case came to be registered against the accused persons.

3. The petitioner has contended that he is not involved in the alleged incident and has been falsely implicated in the case. He is a senior citizen and suffering from old age ailments. He undertake to abide by all the conditions that may be imposed by the Court and also ready and willing to furnish surety to the satisfaction of this court. Hence, prayed to allow the petition.

4. The learned Public Prosecutor filed objections to the bail petition and contends that there are *prima-facie* materials against the accused/petitioner for having committed the alleged offences. If the petitioner is released on bail, he will jump out of bail and commit similar offences and hence, prays for dismissal of the petition.

5. Heard arguments and perused records.

6. The following point arises for consideration:

Whether the petitioner is entitle to be released on anticipatory bail?

7. My answer to the above point is in the ***affirmative*** for the following:

REASONS

8. On perusal of the documents produced by the petitioner and the prosecution, it is seen that the petitioner and other accused have transported the sand by illegally means from the Government Gomala land bearing Sy.No.1 of Kallahalli village, Kasaba Hobli, Hosakote Taluk, Bengaluru Rural District and caused loss to the Government to the tune of ₹.15,75,600/- and thereby committed the offences alleged.

9. The alleged offences are not punishable with death or imprisonment for life and are compoundable in

nature. There are no criminal antecedents against the petitioner.

10. Granting or rejecting bail requires so many aspects such as possibility of the accused committing similar offences, jumping out of bail, delaying the trial and tampering with material evidence and witnesses and impact of release of the accused on society etc. Further, the apprehension of the prosecution that the petitioner may jump out of bail and tamper with material evidence can be met by imposing suitable conditions. Accordingly, this court treat the above point in the ***affirmative*** and pass the following:

ORDER

The petition filed by the petitioner under Section 482 of BNSS, 2023 is allowed.

The petitioner is ordered to be released on bail, in the event of his arrest

in C.C.No.7044/2024 on the file of Principal Civil Judge & JMFC, Hosakote arising out of PCR No.212/2024 of Hosakote police station registered for the offences punishable under Sections U/S.223 of BNS, 2023; U/Ss.4(1), 9, 21(1), 23(c)(1)(e)(j), 24(1)(e) of MMRD Act and Rules 3, 36, 42, 43(5)(7), 43(a), 44, 24(1)(a)(b) of KMMC Rules, on his executing personal bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) with a surety for like sum to the satisfaction of the learned Magistrate, subject to the following conditions:

1. The petitioner is directed to appear before the learned Principal Civil Judge & JMFC, Hosakote within 10 days from the date of this order.
2. He shall not threaten or tamper with the prosecution witnesses, in any manner.
3. He shall not involve in commission of similar offences.
4. The surety is directed to produce the

title deed of the property before the jurisdictional Magistrate.

Breach of any of these conditions would entail cancellation of bail.

(Dictated to the Stenographer Grade-I, transcribed and typed by him, corrected, print out taken, signed and pronounced by me in the open Court on this the 24th day of March, 2026)

(B.S. REKHA)

Prl. District & Sessions Judge,
Bengaluru Rural District,
Bengaluru.