

KABR400002852026



IN THE COURT OF IV ADDITIONAL DISTRICT & SESSIONS JUDGE
SITTING AT DODDABALLAPURA, BENGALURU RURAL DISTRICT

Dated 09th Day of June 2026

: PRESENT:

SMT. NIRMALA .K, B.A. M.L.,
IV Additional District and Sessions Judge,
Doddaballapura, Bengaluru Rural District.

Crl. Misc. No. 10122 / 2026

PETITIONER : 1) Haresh Kadraka – Accused no.1
S/o. Kadraka Sibana
Aged about 18 years
R/at. T. Buduni Village
Penta Panchayath
Rayagada District

(Rep. by Sri. Lakshminaryana .M.N.
Advocate)

V/s

RESPONDENT : The State by
Doddaballapura Women
Police Station

(Rep. by Public Prosecutor)

ORDERS ON ANTICIPATORY BAIL PETITION FILED**U/Sec.482 OF B.N.S.S. 2023**

This anticipatory bail petition is filed under Section 482 of B.N.S.S. 2023 praying to grant of anticipatory bail in Crime No.118/2026 registered by respondent-police for the offence punishable under Section 137(2) of of B.N.S. 2023 against petitioner / accused no.1.

2. BRIEF FACTS:

It is the case of complainant that, defacto complainant is having two children and his daughter stating at Kongadiyappa College. Since there was summer vacation, complainant and his wife when they had to went to work on 21-04-2026 at about 12-00 noon, his daughter went outside saying that she is going to temple and did not return. Thereafter, when complainant reached home in the night, his daughter was missing from the morning. Though he searched with friends and relatives, they could not traced her out. Hence, the missing complaint.

GROUND FOR ANTICIPATORY BAIL:

3. Petitioner submit that, he is innocent and he has not committed any such alleged offences. There are no prima-facie materials available against him. Based upon the false complaint, he is falsely implicated in the above case. Petitioner further submit that, he is not way connected with the incident. Further, the petitioner is coming from respectable family and permanent residents of given address. He has both movable

and immovable properties. Based on the false complaint petitioner is made to suffer humiliation and ill-treatment. There is no possibility of petitioner fleeing away from the court alleged offences are neither punishable with death nor imprisonment for life. He is only bread earner of the family and if the said application is not allowed, He will be put to irreparable loss and hardship. He undertake to co-operate with any conditions imposed by this Court, contending that there are any materials available against them. He prayed for allowing the bail petition.

4. OBJECTIONS:

On the other hand, in pursuance of court notice, learned Public Prosecutor entered appearance and filed his objections statement along with I.O. report reiterating the complaint averments and further submit that, the alleged offences are neither punishable with death nor imprisonment for life and are triable by the court of Magistrate. Still the investigation is under progress. If the petitioner is released on bail, he would tamper the prosecution witnesses and he may abscond. He is politically and economically influential. He may also involve in committing similar offences. Since there are sufficient materials available against the petitioner. Therefore, anticipatory bail petition is not maintainable.

5. Heard **arguments** on both sides and perused the materials on record.

6. From the above facts following points arise for my consideration.

1. **Whether the petitioner/accused no.1 has made out sufficient grounds for grant of anticipatory bail under Section 482 of B.N.S.S. 2023 as prayed for in the petition?**

2. **What order?**

7. My findings on the above points are as follows:

Point No.1 : **In the Negative;**

Point No.2 : As per final order,
for the following;

REASONS

8. **Point No.1:-** Complainant is the father of victim Yashaswini. She is studying II P.U.C. in Kongadiyappa College. He submit that, 21-04-2026 after she went for temple she did not return. She was not responding for the phone call and she was not found. Therefore, missing complaint was filed. Police have registered the case and started with the investigation.

9. It seen that the prosecution has produced, voluntary statement of accused and the statement of victim. It indicate that both of them had stayed together with their consent and there was no sexual assault on her. The statements indicate that victim has gone along with accused out

of her own will and wish and there was no force so that the offence of Kidnap will attract. Apart from this, the alleged offence under section 137(2) of B.N.S. 2023 is bailable offence and triable by the court of Magistrate. When it is bailable offence, there is no apprehension of arrest on the part of petitioner regarding arrest by the respondent police. It is known fact that the anticipatory bail application is not maintainable in case of bailable offences. Therefore, objection raised by the prosecution is sustainable. On these grounds, the present petition is not maintainable. **Accordingly point no.1 is answered in the Negative.**

10. **Point No.2:-** For the foregoing reasons, I proceed to pass the following :-

ORDER

Anticipatory Bail Petition filed by
petitioner/ Accused no.1 under Section 482 of
B.N.S.S. 2023 is hereby rejected.

(Dictated to the Stenographer, transcribed and computerized by her and transcript corrected by me and then pronounced in open Court on this the **09th Day of June 2026.**)

(NIRMALA .K.)
IV Addl. District & Sessions Judge
Doddaballapura