

KABR400002912026



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

Dated 12th 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. 10126 / 2026

PETITIONER : **Sri. Kiran Kumar K.C. – Accused No.4**
S/o. Chandrappa
Aged about 29 years
R/at. Kasaghatta Village
Doddabelavangala Hobli
Doddaballapura Taluk

(Rep. by Sri. Kumar .M, Advocate)

V/s

RESPONDENT : **Doddaballapura Rural Police Station**
Bengaluru Rural District

(Rep. by Public Prosecutor)

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

This petition is filed by the petitioner / accused no.4 under Section 482 of B.N.S.S. 2023 praying to grant of anticipatory bail in Crime No.167/2026 registered by respondent-police for the offence punishable under Section 308(2), 316(2), 351(2), 318(4), 61 and 352 of B.N.S. 2023 against petitioner / accused no.4.

2. BRIEF FACTS:

It is the case of complainant that, accused persons in order to cheat the complainant and to grab the property, they had given money as if they are lending loan amount and obtained agreement of sale and GPA without the knowledge of complainant. When they are ready to return the loan amount back, they are demanding ₹ 2 Crores by extortion and threatened that he would get the sale deed registered. Hence, the complaint.

GROUND FOR ANTICIPATORY BAIL:

3. The 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. The petitioner further submit that, complainant is known to accused Umesh and this petitioner is know Umesh, who was running Cyber Cafe. Complainant in order to clear the loan amount and

for the purposes of business has availed loan amount and expressed his willingness to sell the property. Accordingly, sale agreement was entered into between them. This petitioner has introduced accused no. 1 and 2. Only after satisfying all the documents relating to the property, they had entered into agreement. Petitioner had asked to give commission amount in respect of said sale transaction and complainant postpone to make payment and told that he would make phone-pe. He did not had any further information regarding sale transaction. About 13 months back the property was mortgaged to RBL bank by the complainant. Complainant had executed general power of attorney and on the same day possession was also delivered. As per the registered GPA, sale agreement was also entered. Only in order to grab more amount from the accused persons a false complaint is being filed.

4. Further, petitioner is the permanent resident of given address and having both movable and immovable properties. He is coming from respectable family . He is not having any criminal antecedents and he is not a habitual offender. He undertake to abide by the conditions that would be imposed by this court since there are no prima-facie materials against the petitioner. He has prayed to allow the bail petition.

OBJECTIONS:

5. 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. The alleged offences are grievous in nature and non-bailable in nature. Since there are sufficient materials available against the petitioner. Hence, he prays for rejecting the bail petition.

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

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

1. Whether the petitioner/accused no.4 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?

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

Point No.1 : In the Affirmative;

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

REASONS

9. **Point No.1:-** As per the complaint allegations, petitioners have cheated the complainant and they have forged GPA and Sale Agreement. But, petitioner contended that he is innocent and he has not committed any such alleged offences. He is not at all concerned with the sale transaction. He is only a commission agent. Though complainant has executed the registered GPA and sale agreement, now in order to gain wrongfully, he has filed false complaint. Therefore, considering the rival contentions of both the parties. I am of the opinion that, whether the petitioner has committed the alleged offence or not, have to be decided at the time of full-fledged trial. Dispute is mainly civil in nature.

10. As of now, it is seen that the alleged offences are neither punishable with death nor imprisonment for life, and triable by the Court of Magistrate. Furthermore, petitioner is coming from respectable family and is the permanent resident of the given address and so the question of fleeing away from jurisdiction of the court is very remote. There are no bad criminal antecedents against the petitioner. More over it is not the case of the prosecution that he is habitual offender. When such being the case, if bail is denied then it will affect the personal liberty of the petitioner. If he is detained in custody it will amount to pre-trial conviction. Though the investigation is still in progress no where I.O. has stated that he requires the petitioner for custodial interrogation. Just because I.O. has to obtain certain documents and record statement of witnesses

that itself is not a ground to reject the bail. There are various caters of decisions which stated that perfect balance has to be made between the personal liberty of individual and interest of society. The apprehension of the prosecution can be met with by imposing reasonable conditions. More over, the petitioner have undertaken to abide by any conditions that would be imposed by this court. Therefore, taking into consideration the principle that 'bail is a rule and jail' is an exception and striking a perfect balance between the personal liberty of petitioner and societal interest. I am of the opinion that the petitioner is entitled for bail in the interest of equity and justice. **Accordingly, I answer above point No.1 in the Affirmative.**

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

ORDER

Anticipatory Bail Petition filed by petitioner/ accused no.4 under Section 482 of B.N.S.S. 2023 is hereby allowed.

Consequently, in the event of arrest of petitioner/accused no.4 in Crime No.167/2026 of Doddaballapura Rural Police Station, they are ordered to be released on bail, on his executing personal bond for a sum of Rs.1,00,000/- and with one surety for like-sum to the satisfaction of the Investigating Officer/Police Officer on the following conditions:

1. The petitioner shall appear before the Investigating Officer within 15 days from the date of this order and in that event Investigation Officer to take bond and to release him.
2. The petitioner shall appear before Investigating Officer as and when called upon and to extend fullest co-operation in the investigation.
3. He shall not give threat to the prosecution witnesses in any manner.
4. He shall not indulge in similar offences in any manner.

In case of any violation of above bail conditions, prosecution is at liberty to apply for cancellation of the bail.

(Dictated to the Stenographer, transcribed and computerized by her and transcript corrected by me and then pronounced in open Court on this the **12th Day of June 2026.**)

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