

KACB010014742026



Presented on : 29-08-2026
Registered on : 29-08-2026
Decided on : 05-09-2026
Duration : 07 days

IN THE COURT OF PRL. DISTRICT AND SESSIONS
JUDGE, AT : CHIKKABALLAPURA

Dated this the 5th day of September 2026

Present

Sri. T.P.RAMALINGE GOWDA,
B.Sc., LL.M., M.B.A.
Principal District & Sessions Judge,
Chikkaballapura.

Criminal Misc. No.451/2026

PETITIONER/S:

Narasimhamurthy
s/o late Narasimhaiah,
aged about 37 years,
r/at Dwaraganahalli village
Manchenahalli hobli,
Manchenahalli taluk,
Chikkaballapura District.
(Represented by Sri. S.D.G., Advocate)

//Versus//

RESPONDENT:

State by Manchenahalli Police Station,
Chikkaballapura District.
(Represented by Public Prosecutor)

ORDER

This petition is filed by the petitioner seeking anticipatory bail under Section 482 of BNSS, 2023 who is apprehending his arrest as

accused in Manchenahalli Police Station Crime No.188/2026 registered for the offences punishable under Sections 32 and 34 of Karnataka Excise Act, 1965.

2. The brief facts of the case as averred in the petition are that on 22.08.2026 at about 7 p.m. when the first informant was at police station, he received credible information about sale of illicit liquor in Likith Provisions stores of Dwaraganahalli village. Immediately, he conducted a raid on the said place along with his staff and panchas. There they found 9 bottles of bullet super strong beer of 650 ml each, 7 king fisher bottles of 650 ml each, 2 bottles of royal challengers of 650 ml each, 6 bottles of imperial blue whiskey of 180 ml each, 8 bottles of imperial blue whiskey of 190 ml each, 4 tetra packets of 8PM whiskey of 180 ml each, 7 tetra packets of old tawarin whiskey of 180 ml each, 5 tetra packets of mackdowel whiskey of 90 ml and 180 ml each respectively, 5 bags containing tetra packets of bag piper whiskey and other liquor packets. For which the accused has no license or permit to stock and sell the same. On the basis of the complaint of complainant the case has been registered against the accused for the offences punishable under Sections 32 and 34 of Karnataka Excise Act, 1965.

3. It is further contended that the petitioner is innocent of the alleged offences. He was not possession of illicit liquor. There are no prior antecedents against him. He is permanent resident of the address shown in the cause title. He is leading his life by grazing cattle and sheep. The alleged offences are not punishable either with death or imprisonment for life. He is ready to offer surety and abide by the terms and conditions that may be imposed by this court and sought for allowing the bail petition.

4. On receipt of the notice on the petition, the learned Public prosecutor has filed objections contending that the petition is not maintainable and liable to be dismissed. The investigation of this case is still under progress and the material collected so far prima facie shows involvement of the petitioner in the alleged crime. He is financially and politically influential and if she is enlarged on bail, then there is every likelihood of absconding of petitioner. He may threaten the witnesses and there is likelihood of destroying the evidence. The petitioner is not innocent and not entitled for any discretionary relief of anticipatory bail and sought for dismissing the petition.

5. Heard the arguments and perused the materials available on record.

6. Having heard the arguments and perused the materials available on record, the following points are arise for my consideration:

1. ***Whether the petitioner is entitled for bail under Section 482 of BNSS ?***
2. ***What order?***

7. My finding to the above points are as follows;

Point No. 1: ***In the Affirmative.***

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

REASONS

8. **Point No.1:-** Sri S.D.G., learned counsel for the petitioner has vehemently argued that the petitioner is innocent of the alleged offences. He was not possession of illicit liquor. There are no prior antecedents against him. He is permanent resident of the address shown in the cause title. He is leading his life by grazing cattle and sheep. The alleged offences are not punishable either with death or imprisonment for life. He is ready to offer surety and abide by the terms and conditions that may be imposed by this court and sought for allowing the petition.

9. On the contrary, learned Public Prosecutor has vehemently argued that the petitioner is not innocent. The investigation is still in progress and if he is released on bail there are chances of absconding.

He is politically and financially influenced person and therefore, he is not entitled for the discretionary relief of bail. Hence, prayed to dismiss the petition.

10. Considering the rival arguments canvassed by both sides counsels, I have meticulously examined the materials available on record. Wherein the prosecution has alleged that on 22.08.2026 at about 7 p.m. when the first informant was at police station, he received credible information about sale of illicit liquor in Likith Provisions stores of Dwaraganahalli village. Immediately, he conducted a raid on the said place along with his staff and panchas. There they found 9 bottles of bullet super strong beer of 650 ml each, 7 king fisher bottles of 650 ml each, 2 bottles of royal challengers of 650 ml each, 6 bottles of imperial blue whiskey of 180 ml each, 8 bottles of imperial blue whiskey of 190 ml each, 4 tetra packets of 8PM whiskey of 180 ml each, 7 tetra packets of old tawarin whiskey of 180 ml each, 5 tetra packets of mackdowel whiskey of 90 ml and 180 ml each respectively, 5 bags containing tetra packets of bag pippet whiskey and other liquor packets. For which the accused has no license or permit to stock and sell the same. On the basis of the complaint of complainant the case

has been registered against the accused for the offences punishable under Sections 32 and 34 of Karnataka Excise Act, 1965.

11. Although there is a prima-facie case against the petitioner, the complainant had already seized the alleged illicit liquor which was alleged to have been selling in the grocery shop attached to the house of accused and the custodial interrogation of petitioner/accused is not necessary. Moreover, the alleged offences are not punishable either with death or imprisonment for life. Rather the entire alleged offences are exclusively triable by the Court of Magistrate. Since the non-bailable offences are invoked against petitioner, her apprehension of arrest is well founded. At the same time, it is not the case of the prosecution that the petitioner is having criminal antecedents. Consequently, by keeping all these aspects in mind and as the petitioner has undertaken to abide by the terms and conditions that may be imposed by this court and to furnish surety to the satisfaction of the court, I am having considered opinion that the petitioner is entitled for the discretionary relief of anticipatory bail. The apprehension of the prosecution can be ensured by imposing suitable conditions. Accordingly, ***I answer point No.1 in the affirmative.***

12. **Point No. 2:** In view of my findings on point No. 1, I proceed to pass the following:

ORDER

The petition filed by the petitioner under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, is allowed with the following conditions:-

- 1) In case of arrest of petitioner/accused, he shall be released on bail on execution of bail bond for a sum of Rs.50,000/- along with one surety.
- 2) Petitioner/accused is directed to appear before the I.O. and co-operate for investigation within 20 days from the date of order.
- 3) The petitioner/accused shall not tamper the prosecution evidence and shall not threaten the witnesses of the prosecution.
- 4) The petitioner/accused shall appear before the jurisdictional court on all hearing dates unless he is exempted.
- 5) The petitioner/accused shall not involve in any kind of offences.
- 6) The petitioner/accused shall appear before the jurisdictional Magistrate within 30 days and offer surety along with his residential proof.

If the petitioner violates any of the above conditions, then the prosecution is at liberty to get cancel the bail order as per the procedure established under law.

(Dictated to the STENOGRAPHER GRADE-I directly on computer, revised and corrected by me, signed and then pronounced in the Open Court on this the 5th day of September 2026)

(T.P. RAMALINGE GOWDA)
Prl. District and Sessions Judge,
Chikkaballapura.