



**IN THE COURT OF THE PRINCIPAL DISTRICT AND
SESSIONS JUDGE AT CHIKKAMAGALURU**

Dated this the 9th day of March, 2026

:PRESENT:

Smt. Rajeshwari N. Hegde, B.Com., LL.M.

Prl. District & Sessions Judge,
Chikkamagaluru

Crl. Misc. Petn. No.113/2026

Petitioner: Sri. B G Rajednra
S/o. Junjegowda
Aged about 45 years, Aglt.,
R/o. Kathagar Village
Khandya Hobli, Chikmagaluru
Taluk and District.

(Represented by Sri.GKG, Adv)

-Vs-

Respondent: State by Excise Inspector,
Chikkamagaluru Range,
Chikkamagaluru.
(Represented by Public Prosecutor,
Chikkamagaluru)

ORDER

This petition under Section 482 of BNSS is filed by the petitioner seeking anticipatory bail in the event of his arrest in Excise Crime No. 38/2025-26 registered by respondent/Excise Officer for the offences punishable under sections 13(1)(a), 13(1)(f), 32(1) and 38(A) of the Karnataka Excise Act, 1965(in short KE Act).

2. In the petition, petitioner has contended that he is innocent , he has not committed any offences and

false case is filed against him by creating a false story. He further contended that he has family and coffee estate to look after, he apprehends his arrest by the respondent Excise Officer in the aforesaid crime, the offences alleged are not punishable with death or life imprisonment, he is permanent resident of the address given in the cause title having deep roots in the society and he is ready to offer surety and to abide by the conditions that may be imposed by the court. Hence prayed for granting anticipatory bail to him.

3. The learned Public Prosecutor has filed objection by reiterating the complaint averments and further stated that in furtherance of investigation, investigating officer had visited the spot, conducted detailed mahazar and recorded statements of witnesses and the investigation is still in progress. The material placed on record prima-facie establish the allegations leveled against the petitioner. Petitioner is politically and economically influential and as such at this stage, if he is released on bail, he may intimidate, threaten and influence the prosecution witnesses and he may flee from investigation and hamper the same. Hence, prayed for rejection of bail petition.

4. Heard arguments of both sides.
5. Perused the record.
6. Following point do arise for my consideration:
"Whether the petitioner has made out grounds to grant anticipatory bail to him?"

7. My finding on the aforesaid point is in affirmative for the following:-

REASONS

8. Brief facts of the prosecution case are that-

On 4.2.2026 at about 1.10 p.m when the complainant along with his staff was on patrolling duty , he received credible information that the petitioner has illegally stored jaggery wash and illicit liquor beneath the banana plants in his areca/coffee estate situated in Sy. No.58 of Kathagar Village, Chikkamagaluru Taluk. Thereafter, they rushed to the spot and on checking they found 30 ltrs. of jaggery wash in 2 plastic pots of 15 ltrs. each without any licence or permit to prepare illicit liquor. The same was seized in the presence of panchas by drawing seizure mahazar. The accused has absconded from the spot. Based on this report, S.H.O registered the case against the petitioner for the aforesaid offences. Hence, the petitioner has come up with the present petition seeking for anticipatory bail.

9. Learned counsel for the petitioner has contended that he is not involved in the present case, he has been falsely implicated in the present case, the allegations made against him are baseless, the investigation is already completed and hence he may be granted anticipatory bail.

10. The learned P.P submits that there is prima facie case against the petitioner, investigation of the case is still in progress, the IO is yet to collect material documents and evidence, and at this stage, if he is released

on bail, he may threaten the prosecution witnesses or tamper with evidence. Hence, prays for dismissal of the petition.

11. On perusal of the records, it discloses that a case is registered against the petitioner/accused on the allegations that without any valid licence or permit issued from the competent authority he was found in possession of 30 ltrs. of jaggary wash beneath the banana plants in his coffee/arecanut garden situated in Sy. No.58 of Katagaru Village, Chikmagaluru Taluk. Though the offences alleged are non-bailable, they are not punishable with death or imprisonment for life and the articles have already been seized by drawing seizure mahazar.

12. Further, petitioner is the permanent resident of the address shown in the cause title and as such his presence can be secured during the investigation and trial. Moreover, the petitioner has undertaken to offer surety and abide by the conditions that may be imposed by the court. The apprehension of the learned Public Prosecutor could be met with by imposing suitable conditions. Hence, this Court is of the considered opinion that the petitioner may be granted anticipatory bail.

13. The observations made while disposing this petition cannot be taken into consideration while disposing the case on merits. Accordingly, I answer the above point in the affirmative and proceed to pass the following:-

ORDER

Petition filed by the petitioner under section 482 of BNSS is allowed.

Petitioner is ordered to be released on bail in the event of his arrest in Crime No.38/2025-26 registered by the respondent Excise Officer for the offences punishable under sections 13(1)(a), 13(1)(f), 32(1) and 38(A) of the K.E. Act, on executing personal bond in a sum of Rs.1,00,000/- (Rupees one lakh only) along with one surety for the like sum to the satisfaction of jurisdictional police on the following conditions:

- (1) He shall appear before the I.O. on or before fifteen days from the date of this order and in that event, I.O. to take bond and to release the petitioner.
- (2) He shall appear before the I.O. as and when called upon and to extend the 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 type of offence in the future.
- (5) He shall appear before the Court on all the dates of hearing without fail.

If the petitioner violates any of the conditions, prosecution is at liberty to seek cancellation of bail.

(Typed to my dictation by Stenographer Grade-I directly on the computer, corrected, signed and then pronounced by me in the open Court on this the 9th day of March 2026).

(RAJESHWARI N. HEGDE)
Prl. District & Sessions Judge,
Chikkamagaluru