

KADG010007292026



Presented on : 02-03-2026
Registered on : 02-03-2026
Decided on : 13-03-2026
Duration : 00years, 00month, 11 days

**IN THE COURT OF ADDITIONAL DISTRICT & SESSIONS
JUDGE, FTSC-I, AT DAVANAGERE**

**PRESENT:- SRI. SHRIRAM NARAYAN HEGDE, B.A, LL.M.
ADDL. DISTRICT & SESSIONS JUDGE, FTSC-I,
DAVANAGERE.**

DATED THIS THE 13th DAY OF MARCH, 2026

Crl.Misc.No.205/2026

PETITIONER/S:-

1. Zaheer S/o Dadapeer,
34 years, Coolie work,
R/o 5th Cross, Raza Ul Mustafanagr,
Davanagere.
2. Salman
S/o Mahaboob Sab @ Raheem Sab,
22 years, Coolie work,

R/o Razaul Mustafanagar,
Davanagere.

3. Shahid @ Suleman
S/o Dadapeer,
14 years, Coolie work,
R/o 5th Cross, Raza Uyl Mustafanagar,
Davanagere.

(By Sri A.S.B., Advocate)

// Vs //

RESPONDENT:-

State by Azadnagar Police
Davanagere District.

(By Public Prosecutor, Davanagere).

* * * * *

:- ORDER :-

The petitioners - accused have filed this petition U/s.482
of BNSS, seeking for an order of anticipatory bail.

2. On the basis of the complaint filed by Sri Mohammad Ali.H S/o Husen Sab, a case is registered at Azad Nagar Police Station in Cr.No.42/2026 against the accused for the offences punishable U/s.109(1), 115(2), 118(1), 190, 189(2), 191(3), 352, 351(3) of B.N.S, 2023.

3. The case of the prosecution in brief is that, on 22/02/2026 at about 7.30 a.m, complainant came to his house after Namaz. During that time, 7 - 8 persons abused him in filthy language and assaulted him by their iron rod, hands and legs and club and caused injuries. Allabhakshi and the neighbours had pacified the quarrel. Then injured complainant took treatment in the hospital and went to Police Station and filed the complaint. Now investigation is going on.

4. Now, these petitioners - accused contending that, they are innocent persons and they have not committed any offences. False case has been registered against them. They are permanent resident of address mentioned in the cause title. They are having movable and immovable properties in their native place. They are law abiding citizens. They have got deep roots in the society. They are having aged parents.

They are bread earning members of their family. They re ready to co-operate for investigation. They are ready to abide by the conditions to be imposed by this court. Hence prayed to allow the application.

5. The prosecution contested this petition by filing detailed objection by reiterating the case of the complainant and further contended that, there is a prima facie case against these petitioners. If bail is granted, they may tamper the prosecution witnesses and may hamper the investigation. They may abscond. Hence, prayed to reject the petition.

6. Heard arguments and perused the records.

7. Now the point for determination is as follows :

1) Whether the petitioners - accused have made out sufficient grounds to grant anticipatory bail by resorting to special powers vested in this court U/s.482 of BNSS ?

8. On the basis of the materials available on record, finding to the above point is in the Affirmative for the following :

-: R E A S O N S :-

9. **Point No.1 :-** I have gone through the entire materials available on record. Even though alleged offences non-bailable, they are not punishable with death or imprisonment for life. It is not in dispute that, these petitioners are the permanent residents of address mentioned in the cause title. There is no criminal antecedents. They are ready to abide by the conditions to be imposed by this court. The complainant is not admitted to the hospital. At the time of argument, the learned counsel for the petitioners has produced the copy of the FIR in Crime No.45/2026 of Azada Nagar Police Station. This document reveals about the counter case. Under such circumstances reasonable conditions will meet the objections of the prosecution. Hence, aforesaid point is answered in the Affirmative and proceed to pass the following,

-: O R D E R :-

Bail petition filed by the petitioners /
accused U/Sec.482 of BNSS is hereby allowed.

In the event of arrest of these petitioners
in Cr.No.42/2026 of respondent police station

for the offences punishable U/s.109(1), 115(2), 118(1), 190, 189(2), 191(3), 352, 351(3) of B.N.S, 2023, they shall be enlarged on bail on their executing personal bond for a sum of Rs.50,000/- each with one surety for like-sum on the following conditions:-

1. Petitioners shall appear before the Investigating Officer within 10 days from the date of this order.
2. They shall not tamper the prosecution witnesses in any manner.
3. They shall co-operate for investigation.
4. They shall appear before the Investigating Officer and the court as and when directed to do so.

(Dictated to the Stenographer, after transcription computerized by her, corrected, signed and then pronounced by me in the open court on this the 13th day of March, 2026)

(Shriram Narayan Hegde)
ADDL. DIST. & SESSIONS JUDGE, FTSC-I,
DAVANAGERE.

