

KADG010007302026



Presented on : 02-03-2026

Registered on : 02-03-2026

Decided on : 08-04-2026.

Duration : 0years, 01month, 06days.

**IN THE COURT OF
PRL DISTRICT AND SESSIONS JUDGE DAVANGERE
AT DAVANGERE,**

(Presided Over by SMT. VELA D.K.)

Crl.Misc./206/2026

PETITIONER/S : -

1: Aditya Kumar,
S/o. Bhupsingh,
Aged 36 years,
R/o., 131, 18 GG,
Govindapura, 11LNP,
Udyogvihar, Ganga Nagar,
Rajasthan-335002

2: Smt.Nirmala Devi
W/o., Om Prakash Tarad,
Aged 67 years,
R/o. No 3-H-16, Sector No 03
Jawarnagar, Sriganganaara
Rajasthan 335001

3: Sunil Kumar
S/o. Bhoopsingh.
Aged 41 years,
R/o. Village Dhaniramwala
8HH, PO-9ML

Ganganagara,
Rajasthan 335001

4: Anil kumar,
S/o. Bhoopsingh,
Aged 47 years,
R/o. Village - Dhganiramwala
8HH PO 9ML Ganganagar
Rajasthan 33500

(By Sri. R.Z.K., Advocate)

-VERSUS-

RESPONDENT :-

State of Karnataka through PSI,
Rural Police Station,
Davanagere.

(By learned Public Prosecutor)

**ORDER ON BAIL PETITION FILED UNDER S.482 OF
B.N.S.S**

1. The petitioners No.1 to 4 / accused have filed this petition under Sec.438 of Cr.P.C / under Sec. 482 of B.N.S.S seeking anticipatory bail in Crime No.326/2025 of Respondent Police Station, registered for the offences punishable U/Sec. 406, 409, 465, 471, 468, 420 R/w 34 of I.P.C.

2. The grounds enshrined for the bail are as follows :-

- 1) The petitioners to be innocent of the offences alleged and not connected to the crime registered by the respondent police. They have been falsely implicated in the case, and notices to have been issued by the police pertaining to the Crime registered, without any valid reasons.
- 2) The name of the petitioners to have been not mentioned in the FIR as accused. They have no knowledge about the alleged transaction of loan between farmers and the bank.
- 3) The loan amount sanctioned to the farmers to have been transferred to the bank account of the farmers to Vinve Agri Traders Company directly from the bank by way of RTGS.
- 4) The petitioners to have been implicated in the case with intent to defame their dignity in the society. The alleged offences are not punishable with life or imprisonment or death.
- 5) The petitioners are said to be the permanent residents and owned movable and immovable properties and hence there is no chance of absconding or fleeing away from justice.
- 6) The petitioners are ready to abide by the conditions of the court and to offer surety, and

undertake not to hamper or threaten the prosecution witnesses, hence sought for grant of anticipatory bail.

3. The learned P.P has filed objections reiterating the complaint averments and further contended that, there is prima-facie material against the petitioners and matter being under investigation for arrest of the accused, to record statements of the witnesses, the relevant documents to be collected, to seize the fake documents used for sanction of the loan, to seize the bank account of the accused persons and to frieze the amount involved, to trace out other accused persons to be involved in the alleged incident and to collect their address, and to trace the movable and immovable properties said to have been purchased by the accused persons. There is need to obtain documents from UCO Bank Head office at West Bengal. The fake documents used by the accused has to be confirmed by the accused persons. Crime has been registered in Jodhpur CBI FIR No.CR.0312021 A 006 for the offences punishable under Sec.406, 420, 468, 471 of IPC and Sec.3(2) R/w. 3(1)(D) of P.C.Act, 1988. Another Crime in FIR No.RC 03120221A0001 of Jodhpur CBI for the offences under Sec.406, 420, 468, 471 IPC and Sec.3(2) R/w. S.3(1)(D) of PC Act, 1988 registered against the accused. The accused to have indulged in cheating huge amount to the farmers and banks and to have purchased properties.

The accused persons to have got transferred the loan amount sanctioned by the bank to the complainant and others, to their account. The accused are said to have cheated the complainant and others to the tune of Rs.17 Crores by playing fraud. The offences alleged to attract Special enactment under the P.C Act. The petitioner No.1, 3 and 4 are said to be belonged to single family, and petitioner No.2 is also related to that family and was looking after the money transaction. In case the petitioners are granted bail, they may abscond and not co-operate with the fair investigation and the trial of the case. Therefore, has sought for the rejection of the bail petition.

4. Heard learned counsel for the petitioners and learned P.P for the respondent. Perused the records.

5. On hearing the bail petition, the point that arise for consideration is :-

“Whether petitioners have made out sufficient grounds for the grant of the anticipatory bail in Cr.No.326/2025 of Rural PS Davanagere”?

6. The aforesaid point is answered in the Negative, for the following :-

REASONS

7. As per FIR the case in Crime No.326/2025 has been registered by the Respondent Police against the accused No.1 to 4 and others for the offences punishable under Sec. 406, 409, 465, 471, 468, 420 R/w 34 of I.P.C, on the complaint lodged by complainant Sri. Annappa on 18.12.2020. The place of Crime is described as UCO Bank, Br., Mandipet, Davanagere, Kereyagalhalli village, Davanagere District. The name of the petitioners does not appear in the FIR.

8. Learned counsel for the petitioners during the course of arguments filed memo along with order of the Hon'ble High Court of Karnataka in Crl.Petn.No.6468/2023 dated 22.08.2023 wherein the accused Mohammad Asmathulla W/o Mohamed Vinayathulla has been granted bail and in Crl.Petn. No.10312/23 dated 03.11.2023 wherein one Sunil Kumar S/o. Ganeshrao has been granted bail in Cr.No.326/2020 of Rural PS Davanagere. Further, learned counsel has enclosed copies of the notice issued by the CID Police to the petitioners No.1 and 2.

9. Regarding name of the petitioners not appearing in the FIR, learned PP has submitted Report dated 06.4.2026 stating that there is prima facie material against the petitioners in the crime and that the Charge

Sheet would be filed against the present petitioners in due course.

Further as per Report of the IO, the matter is pending for collection of documents from Head Office, UCO Bank Kolkatta, West Bengal, record statement of the witnesses, collect documents pertaining to the bank accounts of the accused persons, to collect fake documents furnished for sanction of the loan from the bank, statement of the bank accounts of the accused persons and to interrogate about bank transactions, and to seize the movable and immovable properties purchased by the accused persons. Further, there is need to enquire the accused about the involvement of other persons in the Crime, their address and bank account details. From the nature of the I.O Report it means that the present petitioners are said to be the residents of Rajasthan. Petitioners No.3 and 4 are said to be the brothers and petitioner No.1 to be their relative.

10. The brief facts of the case has been that the accused persons along with others are said to have promised the complainant and other agriculturists stating that they would facilitate them to avail loan from UCO Bank and believing the words of the accused, the complainant and other agriculturists to have furnished necessary documents. Thereafter the complainant and other agriculturists were given a sum of ₹ 50,000/- to ₹

1,00,000/- and informed about sanction of loan from the bank. When the complainant and others approached the bank and enquired about the loan amount, they came to know that much higher amount was sanctioned to them and said amount to have been transferred to the account of CGR Company through RTGS from the bank. In this regard the bank manager had assured that the matter would be set right. Thereafter, on 08.6.2020 notice has been issued by the bank to the complainant and other agriculturists. When the complainant and other villagers questioned the accused persons about transfer of loan amount to their CGR Company, they did not respond and also threatened to their lives. Totally the accused persons are said to have cheated the complainant and other agriculturists to the tune of 17 Crores of Rupees by playing fraud and under the false promise of getting bank loan.

11. As per report of the I.O, it means that, the major portion of the investigation is still pending. The accused/ petitioners along with others are said to have cheated the complainant and many other agriculturists and the amount involved in the case is about 17 Crores. There is need to compare the documents furnished by the accused persons for sanction of loan amount and also to get transfer the loan amount to the bank account of CGR Company, by the head office, UCO Bank, West

Bengal. The petitioners are said to be the residents of Rajasthan State.

By considering the nature and gravity of the offences alleged amount involved, investigation still pending for collecting important documents and bank account details, and in view of the charge sheet not filed, and the reasons discussed above, the apprehension of the learned PP about causing impediment to the fair investigation and trial of the case, cannot be ruled out. Therefore, at this stage, it is not just and proper grant anticipatory bail to the petitioners. Hence the point for consideration is answered in the Negative, and proceed to pass the following :-

O R D E R

The petition filed by petitioners No.1 to 4 under Sec.482 of BNSS, is hereby dismissed.

(Dictated to Stenographer Gr.1, transcript corrected, signed and then pronounced by me in the open Court on this the 08th day of April, 2026.)

(Smt.Vela.D.K)
Prl. District & Sessions Judge,
Davanagere.