

KADG010008672026



Presented on : 10-03-2026  
Registered on : 10-03-2026  
Decided on : 27-03-2026  
Duration : 0 years, 0 months, 17 days

**IN THE COURT OF  
I ADDL DISTRICT AND SESSIONS JUDGE  
AT DAVANGERE.**

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

**C/c I ADDL. DISTRICT & SESSIONS COURT,  
DAVANAGERE.**

**DATED THIS THE 27<sup>th</sup> DAY OF MARCH, 2026**

**CrI.Misc.222/2026**

**PETITIONER/S :**

Kiran Naik S/o Raja Naik, Aged about 28 years,  
Student, R/o 3<sup>rd</sup> Main, 8<sup>th</sup> Cross, Shanti nagara,  
Yallamma nagara, Davanagere.

**(By Sri. C.C.S., Advocate)**

-V/s-

**RESPONDENT :**

State by Extension Police,  
Davanagere.

**(By Public Prosecutor, Davanagere)**

**ORDER**

1. The petitioner/accused has filed this petition U/S.483 of BNSS, 2023, seeking for an order of bail.
2. On the basis of the complaint filed by Smt.Vijayalakshmi W/o Manjunatha R., a case is registered at Extension police station in Crime No.230/2025 against the accused for the offences punishable U/S.331(3), 305 of BNS 2023. After investigation the investigating officer has submitted charge sheet against the accused for the aforesaid offences.
3. The case of the prosecution in brief is that, on 09/11/2025 at about 6-30 p.m. the complainant had been to Government employees Kalyana Mantapa to attend the marriage function of her relatives. On 09/11/2025 she stayed their itself. On 10/11/2025 at about 11-00 a.m. she kept 5.5 grams of gold chain and 3 grams of golden earring in her purse and kept her purse in a room and closed the door. Between 11-30 a.m. to 12-00 p.m. this accused entered that

room and committed theft of golden ornaments and there by committed the offences.

4. Now this petitioner/accused is contending that, he is an innocent person and he has not committed any offence. False case is registered against him. From 16/11/2025 he is in judicial custody. The alleged offences are not punishable with death or imprisonment for life. The stolen properties are already recovered by the police. This accused is ready to face the trial. He is having aged parents. He is having movable and immovable properties in his native place. He will not abscond. He is suffering from HIV and piles disease. He has to take proper treatment. He has come from a respectable family. Hence prayed to allow the petition.

5. Prosecution contested this petition by filing detailed objection by reiterating the case of the complainant and further contended that, there is a prima faice case against this accused. Stolen property is already recovered from him. If bail is granted he may tamper the prosecution witnesses or he may abscond. Hence, prayed to reject the petition.

6. Heard arguments and perused the records as well as the citation relied upon by learned counsel for the accused.

7. Now the point for determination is as follows:

- 1) Whether the petitioner/accused has made out by sufficient grounds to grant bail by

resorting to special powers vested in this Court U/S.483 of BNSS?

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

### **REASONS**

9. **Point No.1:-** I have gone through the entire materials available on record. Even though the alleged offences are non-bailable, they are not punishable with death or imprisonment for life. Investigation is already completed and charge sheet is also submitted. Stolen properties are already recovered by the police. It is not in dispute that this petitioner is the permanent resident of the address mentioned in the cause title. There is no criminal antecedents. He is ready to co-operate for trial. He is ready to abide by the conditions that may be imposed by this court. At the time of his argument learned counsel for the petitioner has submitted medical records relating to the illness of the accused. He is relying on the judgment of Hon'ble Supreme Court in the case of " Satinder Kumar Antil Vs. CBI". In this case Hon'ble Supreme Court has issued certain guidelines relating to grant of bail. Those guidelines applies to the case in hand also. Under such circumstances reasonable conditions will meet the objection of the prosecution. Hence aforesaid point is answered in the affirmative and proceed to pass the following :

**ORDER**

Bail petition filed by the petitioner/accused U/S.483 of BNSS is hereby allowed on following conditions:

- 1) Petitioner/accused shall execute personal bond for a sum of Rs.50,000/- with one surety for like sum to the satisfaction of the magistrate.
- 2) He shall not tamper the prosecution witnesses.
- 3) He shall attend before the court on all the dates of hearing without fail.
- 4) He shall not commit similar offence.
- 5) He shall furnish his address proof.

(Dictated to the Stenographer, after transcription computerized by her, corrected, signed and then pronounced by me in the open court on the 27<sup>th</sup> March 2026)

(Shriram Narayan Hegde)  
C/c I ADDL.DISTRICT & SESSIONS JUDGE,  
DAVANAGERE.