

ORDER ON BAIL APPLICATION
FILED ON BEHALF OF THE
ACCUSED No.1

Learned counsel for the accused No.1 filed this application seeking to enlarge this accused on bail by contending that this accused is an innocent person and he has not committed any offence. False case is registered against him. Investigation is already completed and charge sheet is already submitted. In the charge sheet there is no material against this accused. There is no C.C.Tv footage showing the involvement of this accused. This accused is arrested on 02/03/2025 and not on 15/03/2025 or 16/03/2025. Without intimation to his family members this accused is arrested. This accused is ready to abide by the conditions that may be imposed by this court. There are 31 witnesses in this charge sheet. They are from local area. This accused has not know kannada language. Hence there is no question on tampering the prosecution witnesses. Hence prayed to allow the application.

Prosecution contested this application by filing detailed objection by re-iterating the case of the complainant and further contended that there is a prima

facie case against this accused. Offences are heinous in nature. Grievous hurt is caused to the public servant. Against this accused cases are registered in Hosalli police station of Bengaluru Rural District, Bevuru police station of Koppal District, Bhadravati Rural police station of Shivamogga District, Tadasa police station of Haveri District, Kaduru police station of Chikkamagaluru District. This accused is habitual offender. Against this accused case is registered at Krishna Giri Berigai police station Tamilnadu. Apart from that against this accused cases are registered in the states of Telangana, Andrapradesh, Jarkhand, Delhi and Uttar Pradesh. If bail is granted he will abscond. Hence prayed to reject the application.

Heard arguments and perused the records as well as the written arguments submitted by learned counsel for the accused No.1.

Now the point for determination is as follows:

- 1) Whether the accused No.1 has made out sufficient grounds to grant an order of bail by resorting to special powers vested in this Court U/S. 483 of BNSS?

On the basis of the materials available on record, finding to the

above point is in the negative for the following:

REASONS

Point No.1:- I have gone through the entire materials available on record. Offences are heinous in nature. Section 109(1) of BNS is punishable for imprisonment for life. Default bail was granted to the accused No.2 to 4. Now they are absconding. Accused No.5 is not secured till date. Bail application filed by the accused No.7 is dismissed by this court as well as by the Hon'ble High Court. There is prima facie case against this accused. Considering the nature and gravity of the offences and also the manner in which the offences are committed, this accused is not entitled for bail. If bail is granted there is every chance of absconding. Arguments of learned counsel for accused is not acceptable one. In this regard arguments of learned public prosecutor is acceptable one. Hence it is accepted. Hence aforesaid point is answered in the negative and proceed to pass the following:

ORDER

Bail application filed on behalf of the accused No.1 U/S.483 of BNSS is hereby rejected.

C/c I ADDL.DISTRICT &
SESSIONS JUDGE,
DAVANAGERE.