

KADW010025262026



Presented on : 06-07-2026

Registered on : 07-07-2026

Decided on : 14-07-2026

Duration : 08 days.

**IN THE COURT OF PRINCIPAL DISTRICT AND
SESSIONS JUDGE, DHARWAD**

Present: Sri. N.V. Vijay, B.A. LL.B. (Hons.),
Prl. District and Sessions Judge,
Dharwad

Dated this the 14th day of July, 2026

Criminal Miscellaneous No.352/2026

Petitioner: Yallappa s/o Gangappa Kanajanavar
Age 53 years, Occ: Kirani Business.
R/o Makannavar Street, Yadawad,
Tq. and Dist- Dharwad.

(Smt. S.S.Kulkarni, Advocate)

Vs.

Respondent: The State of Karnataka,
By Excise Sub Inspector,
Dharwad Division.

(Public Prosecutor, Dharwad)

ORDER

This is the petition filed under Section 482 of
Bharatiya Nagarik Suraksha Sanhita by the petitioner
seeking anticipatory bail in Dharwad Excise Range Crime

No.50/2025-2026 registered for the offences punishable under Sections 14, 15, 32(1), 34 and 38(A) of Karnataka Excise Act, 1965.

2. In the petition it is averred that the petitioner is innocent but has been falsely implicated in this case. The allegation made against the petitioner is far away from truth. The petitioner is permanent resident of the address given in the cause title and having family members. He is ready and willing to abide by the conditions imposed by this court. Hence, prayed to allow the petition.

3. On the contrary, the learned Public Prosecutor has filed objections by narrating the facts of the case and has contended that the complaint averments clearly disclose the fact that the petitioner has committed the offences. If the petitioner is enlarged on bail, there is possibility of absconding and threatening the prosecution witnesses. Hence prayed to reject the petition.

4. Heard the arguments of both sides.

5. The point that arises for my consideration is:

“Whether the petitioner is entitled to anticipatory bail?”

6. My answer on the above point is in the Affirmative, for the following:

REASONS

7. A suo moto complaint is lodged by Excise Sub-Inspector, Dharwad Range on 03.06.2026 alleging that while he was on patrolling duty, he received a credible information that in the Kiana Shop of Yallappa Kanajanavar i.e. petitioner situated at Yadawad village, liquor was stored illegally for the purpose of sale. Accordingly on receipt of the said information, he visited the spot along with his staff and panch witnesses and raided the said Kirana shop. At the time of raid, the complainant and his team noticed 14,490 liters of liquor stored in tetra packets and 11,800 liters of Beer bottles in the said Kirana Shop. Subsequently in the presence of panch witnesses, the said liquor and Beer was seized. Hence the complaint.

8. On perusal of the complaint averments, it reveals that in all 14,490 liters of liquor and 11,800 liters of Beer was seized in the Kirana shop of the accused/petitioner at the time of raid under panchanama alleged to be contained

in the tetra packets and bottles and the said liquor/Beer was stocked in the Kirana Shop without any permit or licence.

9. At this juncture, it is relevant to note that nothing else is to be recovered from the petitioner/accused and whether the tetra packets contained liquor inside them and beer can be only ascertained on the basis of FSL report. Whether the petitioner has stocked the said liquor and beer in his Kirana shop is a matter of consideration during the course of trial.

10. Furthermore, the alleged offences are not punishable either with death or imprisonment for life. The petitioner is ready and willing to abide by the conditions to be imposed by this Court. In the said circumstances, I am of the opinion that the petitioner is entitled for anticipatory bail, subject to conditions. Accordingly, the above said point is answered in the affirmative and pass the following:

ORDER

The petition filed by the petitioner under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 is hereby allowed.

In the event of arrest of petitioner, the respondent Excise Police are directed to release him on bail in Crime No.50/2025-26 on his executing personal bond of Rs.50,000/- with one surety for likesum with following:

CONDITIONS

1. The petitioner shall appear before the respondent Police within two weeks from the date of this order and shall execute bail bonds as ordered.
2. The petitioner shall make available himself for interrogation to the investigating officer as and when required.
3. The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade her from disclosing such facts to the court or to any Police Officer.
4. The petitioner shall not commit similar or other offences.
5. The petitioner shall not leave India without the prior permission of the court.

(Dictated to the Stenographer Grade-I, transcribed and typed by her, script corrected, signed and then pronounced by me in the open court on this the 14th day of July, 2026.)

(N.V. Vijay)
Prl. District and Sessions Judge, Dharwad.

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