

KADW010025562026



Presented on : 07-07-2026

Registered on : 08-07-2026

Decided on : 16-07-2026

Duration : 9 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 16th day of July, 2026

Criminal Miscellaneous No.354/2026

Petitioner: Mainuddin S/o Sultan patel Patil
Age 20 years, Occ: Business,
R/o Manikanth Nagar, Dharwad.

(Sri.M.R.Rahimansab, Advocate)

Vs.

Respondent: The State of Karnataka,
By Dharwad Town Police Station.

(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 Town Police Station Crime No.101/2026 registered for the offence punishable under Section 20(b)(ii)(A) of N.D.P.S. Act, 1985.

2. In the petition it is averred that the petitioner has not committed any offence as alleged by the police and he has been falsely implicated in this case. He is no way concerned nor connected to the alleged crime. The petitioner is permanent resident of the address given in the cause title and came from respectable family. 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 Tanaji Shinde, Police Officer of Dharwad Town Police Station alleging that on 04.07.2026 at about 8.15 a.m., along with his staff he was on patrolling duty, at that time he received credible information that near public road of Bara Imam Galli near the house of Sultansab Patel, accused No.1 was selling ganja to public. Hence on the basis of credible information he proceeded to the spot and lodged a complaint which came to be registered in crime No.101/2026 and subsequently secured panchas, Gazetted Officer and went to the spot and conducted raid by seizing the ganja from accused Mujamil weighing 782 grams, drew panchanama and returned back to the police station and handed over the seized ganja and documents to the Station House Officer. Therefore, the complaint averments disclose that in the raid, alleged accused No.1 was apprehended along with seized ganja and panchanama came to be drawn at the place of incident in the presence of panch witnesses.

8. At this juncture, it is relevant to note that accused No.1 has already been enlarged on bail by the Trial Court

and the present petitioner has been arrayed as accused No.2 only on the basis of voluntary statement of accused No.1. Therefore, at this juncture, except the voluntary statement of accused No.1 nothing is forthcoming on record which discloses about involvement of the present accused/petitioner in the said crime.

9. Considering the fact that accused No.1 has already been enlarged on bail, on the ground of parity, the present petitioner is also entitled for grant of 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 Police are directed to release him on bail in Crime No.101/2026 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 16th day of July, 2026.)

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

**vsp*