

KAHS010044512026



Presented on : 18-06-2026
Registered on : 18-06-2026
Decided on : 29-06-2026
Duration : 0 years, 0 months, 11 days

**IN THE COURT OF II ADDL.DISTRICT & SESSIONS JUDGE,
HASSAN**

:Dated this the 29th day of June, 2026:

:PRESENT:

Shri. E. Rajeeva Gowda, LL.M.,
II Addl.District & Sessions Judge, Hassan.

Crl.Misc./636/2026

Petitioner : Manjunatha B.
S/o Bettegowda,
Aged about 32 years,
R/o B. Katihalli, Arsikere Road,
Hassan Taluk, Hassan District.

(Represented by –
Sri.K.V.Y., Advocate)

Vs.

Respondent : State by – Hassan City Police.

(Represented by –
Public Prosecutor)

:ORDERS ON BAIL APPLICATION FILED
UNDER SECTION 483 OF B.N.S.S.:

The advocate for petitioner has filed bail petition U/s.483 of B.N.S.S. release him on bail consequent upon his remand to judicial custody in the case registered against him by the respondent Police on the complaint of Sri Harisha M.P. the offences punishable U/sec.292 of B.N.S. and 27(1) of Indian Arms Act in Crime No.102/2026 in the interest of justice and equity.

2. The contention of petitioner is that he is innocent of the offences alleged against him and he has not committed any offence as alleged against him. He has been falsely implicated in the above case. He is ready to abide by any conditions imposed by this Court while granting bail. Therefore, the petitioner has prayed for allowing this petition.

3. The notice of bail petition is given to the learned Prosecutor and he has filed objection in detail along with the report of I.O., and case diary submitting that the petition is not maintainable in law or on facts of the case and for the

reasons stated in the objection, the learned Prosecutor has prayed for dismissal of the bail petition.

4. Heard the arguments on both sides and perused the relevant materials on record.

5. The following points that arises for consideration of this Court are as under:-

1. Whether the petitioner has made out any ground for his release on bail in Crime No.102/2026 of Hassan City P.S. at this stage as sought for?
2. What Order?

6. My findings on the above points are as follows:-

POINT NO.1: In the Affirmative,

POINT NO.2: As per final order, for the following:

:REASONS:

7. **POINT NO.1:-** The materials available such as the first information and FIR including the IO report prima facie discloses that the respondent police have registered a case against the petitioner for the offences punishable under Sections 292 of Bharatiya Nyaya Sanhita, 2023 and 27(1) of

Indian Arms Act in crime No.102/2026 based on the complaint of Sri Harisha M.P. The case alleged is that on 29.5.2026 at about 10.00 a.m., the petitioner sitting on a KA-13-EQ-2642 Splendor Plus motorcycle, carrying a deadly weapon (long/chopper) concealed behind his neck inside his T-shirt and riding around Vijayanagar Road on Belur Road. The petitioner was seen riding the motorcycle in a public place in a manner causing fear among the public. Hence, the petitioner has committed the alleged offences.

8. The contention of petitioner is that he innocent of the offences alleged against him and complaint is filed with vested interest to falsely implicate the petitioner into this false case. The petitioner undertakes to abide by all the conditions that may be imposed by this court. But, as submitted by the learned Prosecutor, the respondent police have registered FIR in Crime No.102/2026 against the accused for the offences punishable U/s.292 of B.N.S. and 27(1) of Indian Arms Act. The investigation is at the initial stage and it is yet to be completed, at this stage if the bail is granted in favour of the petitioner, then he may abscond and also tamper the prosecution witnesses and hamper the investigation, and this Court cannot come to the conclusion

that the petitioner is innocent of the offences alleged against him. Hence, at this stage it is not proper to believe or consider that the petitioner is innocent of the alleged offences.

9. The offences alleged against the petitioner is punishable U/sec.27(1) of Indian Arms Act which is non-bailable and triable by court of Magistrate. At this stage, what is the quantum of punishment is not much important. But on the other hand, the Court should see and follow guidelines issued by Hon'ble Supreme Court that whether is there any prima facie case made out by the prosecution, what is the impact on society, if the petitioner is let on bail in this kind of serious offences and also, the Court must see the safety of the society, while disposing this kind of petition.

10. The learned counsel for the accused has argued that the family of the accused is having garden land and this accused used to work in their garden land everyday. As usual when he going for work go along with chopper or sickle etc., for the purpose of agriculture work. In this case also, for the purpose of agriculture work he has kept the

weapon behind his back as he has not able to keep his weapon on the petrol tank of the vehicle and failed to carry in the closed bag. No public has lodged complaint nor the petitioner gave threat to any person and no criminal antecedent present against this petitioner till today. The mere keeping of the said weapon inside his T-shirt to go to agriculture work may not amounts to any offence. However, the allegations made against this petitioner is required to be proved by the prosecution during trial. Apart from that while going in two wheeler the weapon seized by the Police cannot be kept openly in the vehicle it may cause injury either to the rider or to the public if it fell down during running of the vehicle. In support of arguments, the counsel for petitioner has produced the RTC extract to show that the family of the petitioner is having landed property.

11. Further, as per the materials on record, it is clear that the petitioner is resident of Hassan taluk. The petitioner has produced certified copies of the FIR, complaint, copy of the remand application. Having regard to the allegations and denial and nature of offences alleged against the petitioner, a question will arise whether the petitioner has committed the offence that has to be ascertained only after

trial of the case in case a charge sheet is filed against him. The petitioner has undertake to furnish surety and ready to obey the conditions as such considering the residential address and gravity of offences. Hence, at this stage, I am of the opinion that, the ends of justice would meet if bail is granted to him since he is in judicial custody. The IO in his report has prayed to reject the bail petition, since the investigation is not completed. But no purpose would serve even if the petitioner is kept behind the bars for further period as the prosecution failed to produce any material documents or evidence to decline bail to the petitioner. The apprehension of the prosecution can be suitably meted by imposing stringent conditions on the petitioner. Hence, the point No.1 is answered in the **Affirmative**.

12. Point No.2: In view of answer of this Court on point No.1, this court proceed to pass the following:

:ORDER:

The petition filed by the petitioner
U/S.483 of B.N.S.S. is hereby allowed.

Thereby the petitioner is ordered to be
released on bail on execution of personal bond

for Rs.1,00,000-00 with a surety for the like sum to the satisfaction of concerned Court in Crime No.102/2026 subject to following conditions;

1. The petitioner shall make himself available for investigation by the IO.

2. The petitioner shall mark his attendance once in every month preferably on second Saturday between 10-00 a.m. to 2-00 p.m. till filing of final report or until further orders whichever is earlier.

3. The petitioner shall not cause any threat either directly or indirectly to any of the prosecution witnesses.

4. The petitioner shall not leave the jurisdiction of the concerned Court without prior permission.

5. The petitioner shall not hamper further investigation of the case by the IO.

6. The petitioner shall not indulge in commission of similar offence.

7. The petitioner shall furnish his residential proof ID card/documents.

Violation of any of the conditions shall
entail in cancellation of bail.

*(Typed to my dictation by the Stenographer Grade-III directly on
Computer, corrected and then pronounced by me in the open Court on this the 29th
day of June, 2026)*

Sd/-
(E. Rajeeva Gowda)
II Addl.District & Sessions Judge,
Hassan.