

KAKP010017622021



IN THE COURT OF THE PRL. DISTRICT & SESSIONS JUDGE
AT KOPPAL

Present: Sri C.CHANDRA SEKHAR, LL.M.,
Prl. District and Sessions Judge,

Dated this the 10th day of June 2025

S.C. No.44/2021

Complainant:

State of Karnataka through
Kukanoor Police Station.

(By Learned Public Prosecutor)

V/s

Accused No. 5:

Manoj S/o Gangappa Harinishikhari, Age: 28 years,
Occ: Coolie, R/o Malekoppa, Tq: Kukanoor, Dist:
Koppal.

(By Sri Y.J.R., Advocate)

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ORDER

Accused No. 5 has filed this Bail Petition U/S 439 of Cr.P.C. seeking Regular Bail.

2. The Complainant-Police have filed Charge Sheet against the Accused in Crime No.91/2020 for the offence punishable U/Sec. 379 R/w Sec. 149 of IPC and Sec. 86 of K.F. Act. The Accused No. 5 is in Judicial Custody.

3. In the Petition seeking Regular Bail, the Accused has urged various grounds stating that he is innocent and law abiding citizen. He has not committed any offences and he is falsely implicated. There is no direct or indirect material placed before the Court to connect him with the present crime. He is ready to co-operate during the trial and also abide by any conditions that would be laid down by this Court. He is residing in the address mentioned in the cause title having movable and immovable assets and as such, fleeing from justice would not arise. Therefore, it is prayed to grant Regular Bail.

4. The learned Public Prosecutor has filed objections stating that the Accused has committed the alleged offences and the material collected so far by the I.O shows that there is prima-facie case against him and this is not a fit case to grant relief of bail. He has not urged any valid grounds seeking regular bail. If he is enlarged, he may abscond and there are also chances that he may

threaten the Prosecution witnesses. Therefore, the Prosecution prays to reject the Petition.

5. I have heard the Counsel for the Accused and the Public Prosecutor. I have also perused the material on record.

6. By virtue of the above facts and circumstances, the point that arises for my consideration is:

1. Whether the Accused No. 5 has urged valid or substantial grounds for grant of regular bail?
2. What order?

7. My finding on the above points are;

Point No.1: In the Affirmative

Point No.2: As per final order for the following:

REASONS

Point No.1:

8. It is the case of the prosecution that on 25.11.2020 at about 7-15 p.m., P.S.I of Kukanoor Police Station, who is the Complainant had received credible information regarding illegal possession of rifle and sandalwood pieces stored in the house of Accused in Malekoppa village. After receipt of information Complainant and his team went to the spot and raided the same and seized the same in the presence of panchas.

9. On perusal of material on record, it appears that Accused No. 5 was enlarged on bail by this Court in SC No. 37/2021, but due to body warrant issued in this case he is not released from Prison. The trial is already commenced and the witnesses are examined and other Accused are on bail. The Accused No. 5 has now undertaken to abide by any conditions of this Court and appear before the Court henceforth regularly. The fact that Accused No. 5 is the permanent resident in the address mentioned in the cause title is not disputed by the Prosecution. He has undertaken to furnish solvent surety and also abide by the conditions that would be laid down by this Court. Therefore, by holding that Accused has urged valid reasons for grant of bail, I answer point for consideration in the **Affirmative**.

POINT No.2:

10. In view of the above discussion, reasons stated and finding given to the point for consideration, the following is made;

ORDER

The Bail Application filed by the Accused No. 5 U/Sec. 439 of Cr.P.C., is hereby allowed.

The Accused No. 5 is enlarged on bail. He shall execute personal bond for Rs.50,000/- with one surety for the like-

sum to the satisfaction of this Court,
subject to the following conditions;

1. Accused No. 5 shall not threaten or tamper with the Prosecution witnesses.
2. Accused No. 5 shall appear regularly on all hearing dates and co-operate with the trial.
3. Accused No. 5 shall not leave the jurisdiction of this Court until completion of trial.

*(Dictated to Steno., directly on computer, corrected by me and then pronounced in the open Court on this the **10th day of June 2025**).*

(C. CHANDRA SEKHAR)
Prl. District & Sessions Judge,
Koppal.

