

KAMS010019022026



**IN THE COURT OF THE PRINCIPAL
DISTRICT AND SESSIONS JUDGE
AT MYSURU**

Dated this the 17th day of March, 2026

PRESENT

Smt. Usharani, B.A.(Law), LL.B.,
Principal District & Sessions Judge,
Mysuru.

Crl.Misc./404/2026

Petitioner/s: Ramegowda,
S/o Late Govindgowda,
Aged about 63 years,
R/at Alalahalli Village,
Kandalike Hobli,
Saraguru Taluk,
Mysuru District.

[By Sri Manju S, Advocate]

V/s.

Respondent/s: The Inspector of Excise,
H.D.Kote Range,
H.D.Kote.
Represented by the
Public Prosecutor,
Mysuru District.

ORDERS

The bail petition is filed by the petitioner under Section 482 of BNSS, 2023, seeking anticipatory bail in Crime No.6/2025-26 registered by the respondent police

for the offences punishable under Section 13, 14, 15, 32[1], 38[A] and 43 of Karnataka Excise Act.

2. The brief facts of the case are that, on 17.12.2025, Police Inspector H.D.Kote Range was on patrolling duty at Alalahalli village, Kandalike Hobli, Saraguru Taluk, found accused kept 90 ml.ltr of 53 tetra packets of original choice delux whisky under tobacco barren of Shivanegowda S/o Thimmegowda situated at road proceeding towards Venkatagiri colony from Alalahalli. Since it was exceeded the permitted limit, Inspector on his suo-moto report, registered F.I.R. Crime No.6/2025-26 for the offences punishable under Section 13, 14, 15, 32[1], 38[A] and 43 of Karnataka Excise Act.

3. The grounds urged for the bail are that, petitioner has not committed any offence and respondent Police have registered false case in order to harass him. He is innocent and law abiding citizen. He has wife, children and aged parents to look after. Alleged offence is not punishable with death or imprisonment for life. Petitioner

undertakes to co-operate for investigation and appear before the Court on all the hearing dates. Hence prayed to grant him anticipatory bail.

4. On service of notice and after furnishing copies of petition, the learned Public Prosecutor has filed objections stating that there is prima facie case against the petitioner and alleged offence is punishable with imprisonment upto 5 years and with fine of Rs.50,000/-. Petitioner by involving himself in such activities causing loss to State Exchequer. If petitioner is enlarged on bail, he may destroy the prosecution evidence, threaten the witnesses and induce them. Hence, prayed to reject the bail petition.

5. Heard the arguments of the learned Advocate for the petitioner and the learned Public Prosecutor for the respondent.

6. The points arise for my consideration are as follows:

- 1) Whether the bail petition filed by the petitioner under Section 482 of BNSS, 2023 deserves to be allowed?
 - 2) What order?
7. My answers to the above points are as hereunder:

Point No.1: In the **Affirmative**,

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

REASONS

8. **POINT NO.1:** The learned Public Prosecutor has strongly objected for granting bail to the petitioner on the ground that, there is prima-facie case against the petitioner and petitioner by illegally possessing the liquor, caused loss to the State Exchequer.
9. The learned advocate for the petitioner has argued that the petitioner is having wife, children and aged parents to look after and that he has not committed any offence as alleged. Moreover, the alleged offences are not punishable with death or imprisonment for life.
10. It is important to note here that, petitioner is the permanent resident of Alalahalli Village, Kandalike Hobli,

Saraguru Taluk, and he is ready to furnish surety and abide by the conditions impose by the Court.

11. Further, almost half of the investigation is completed and the petitioner is not required for custodial interrogation. Moreover, the alleged offences are not punishable with the death or imprisonment for life and triable by Court of Magistrate.

12. The very filing of FIR shows that, there is every chance of respondent police arresting the petitioner. Hence, the apprehension of the prosecution can be safeguarded by imposing conditions on the petitioner. Under these circumstances, I opine that, petitioner is entitle for anticipatory bail. Hence, the point No.1 is answered in the **affirmative**.

13. **POINT NO.2:** For the reasons stated above, I proceed to pass the following:

ORDER

This petition filed by the petitioner under Section 482 of BNSS, 2023 is hereby **allowed**.

The respondent police is directed to release the petitioner on bail on his executing personal bond for Rs.50,000/- (Rupees Fifty Thousand only) with one surety for the like sum to the satisfaction of the respondent police in the event of his arrest in the case in Crime No.6/2025-26 of the respondent police for the offences punishable under Section 13, 14, 15, 32[1], 38[A] and 43 of Karnataka Excise Act, subject to the conditions that:

1. Petitioner shall not tamper the prosecution witnesses.
2. He shall move for regular bail application before the concerned Court within a month from the date of this order.
3. He shall not commit any offence.
4. He shall co-operate for investigation and appear before the Investigating Officer whenever directed.

[Dictated to the tab, typed the same by the Stenographer Gr-I on Computer and after corrections, pronounced by me in open Court on this the **17th day of March, 2026**].

[USHARANI],
Principal District & Sessions Judge,
Mysuru.