

KARC010015692026



**IN THE COURT OF PRINCIPAL DISTRICT & SESSIONS  
JUDGE; AT RAICHUR**

**Criminal Miscellaneous No.249/2026**

**PRESENT**

***Sri B.B. Jakati,***  
B.A. LL.M,  
Principal District & Sessions Judge &  
C/C of II Additional Dist & Sessions Judge,  
Raichur.

**Dated this the 4<sup>th</sup> day of July 2026**

**Petitioners:** 01. Murtuja Pasha  
S/o Dastagir,  
Aged about: 41 years,  
Occ: Professor,  
R/o H.No.12-6-590,  
LBS Nagar, Raichur.

02. Yusuf Mohammed  
S/o Alam Pasha  
Aged about: 24 years,  
Occ: Private work,  
R/o Srinivas Colony,  
LBS Nagar, Raichur.

(Accused No.1 and 2 as per FIR).

(By Sri M.A.W. Advocate)

**// Vs //**

**Respondent :** The State through Sirwar Police Station  
Sirwar.

(By Learned Public Prosecutor)

ORDER

The petitioners who are in judicial custody have filed petition under **Sec.483 of BNSS** in connection with case in Crime No.**78/2026** registered by Sirwar Police Station for the offences punishable under Sec.179 and 180 of BNS 2023.

2. The gist of the prosecution case is that the first informant, H. M. Shivaprasad, was the Manager of Virupaksha Energy Services Petrol Bunk at Kallur Village. Pavan Kumar and other employees were working at the said petrol bunk. On 29.04.2026, at about 10:15 p.m., accused No. 1 and accused No. 2, who are the petitioners herein, visited the petrol bunk, where the employees filled fuel in their vehicle. Thereafter, accused No. 1 tendered a ₹100 currency note to Pavan Kumar. Pavan Kumar entertained a doubt regarding the genuineness of the said currency note. Subsequently, he and the other employees noticed a bundle of currency notes inside the petitioners' vehicle. The said fact was informed to the first informant and the owner of the petrol bunk. Thereafter, the owner and the Manager came to the petrol bunk, and members of the general public also assembled at the spot. Suspecting that the accused were in possession of counterfeit currency notes, the first informant informed the Sirwar Police Station. The police arrived at the spot and apprehended both the accused. Counterfeit currency notes amounting to ₹4,100/- were allegedly recovered from their possession. Based on the complaint, the First Information Report was registered on 30.04.2026 at 4:00 p.m. Both the accused were arrested,

produced before the Court, and remanded to judicial custody. Therefore, they have filed the present petition seeking regular bail.

3. The prosecution has filed objections to the petition, contending that the accused were in possession of counterfeit currency notes and were circulating the same, which constitutes a serious offence. It is further contended that, if the petitioners are released on bail, they may repeat the offences and may not cooperate with the investigation.

4. The learned counsel for the petitioners argued that accused No. 1 is a professor and accused No. 2 is a student, and that false allegations have been levelled against both the petitioners. It is submitted that the prosecution has alleged recovery of counterfeit currency notes amounting to ₹4,100/-; however, the said recovery was not made pursuant to any voluntary statement or at the instance of the petitioners. It is further submitted that the alleged offences are not punishable with death or imprisonment for life. The petitioners are permanent residents within the jurisdiction of this Court and undertake to appear before the Court regularly. Their continued detention in judicial custody is not necessary. The petitioners further undertake to abide by any conditions that may be imposed by this Court. On these grounds, the learned counsel prayed that the petitioners be enlarged on bail.

5. The learned Public Prosecutor argued that both the accused were found in possession of counterfeit currency notes

amounting to ₹4,100/-, which were seized by the police under a mahazar (panchanama). It is contended that there are prima facie grounds to proceed against the petitioners for the offences punishable under Sections 179 and 180 of the BNS, 2023. It is further submitted that, if the petitioners are released on bail, they may repeat the offences, may fail to appear before the Court regularly, may delay the trial, and may abscond from the course of justice. On these grounds, the learned Public Prosecutor prayed for rejection of the bail petition.

6. I have perused the records.

7. The only point that arises for my consideration is:

Whether the petitioner is entitled for  
regular bail ?

8. My finding is in the **affirmative** for the following:

**REASONS**

9. The material on record at this stage indicates that currency notes amounting to ₹4,100/- have been recovered from the possession of the petitioners. Whether the currency notes seized/recovered from the petitioners are counterfeit or genuine is a matter to be determined by expert examination during the course of investigation/trial. However, prima facie, it appears that the currency notes recovered from the petitioners are counterfeit. The quantum of alleged counterfeit currency recovered from their possession is relatively small.

10. The petitioners are residents within the jurisdiction of this Court. Petitioner No. 1 is a professor in a college and petitioner No. 2 is a student. They have been in judicial custody since 30.04.2026. If the petitioners are detained in judicial custody until the completion of investigation or trial, their careers may be adversely affected. Until their guilt is established, they are to be presumed innocent. Having regard to the facts and circumstances of the case, this Court is of the opinion that pre-trial detention of the petitioners is not warranted.

11. The apprehension of the prosecution that the petitioners may cause delay in the course of justice or may not appear before the Court regularly can be addressed by imposing sufficient conditions and securing appropriate bail bonds at the time of their release. The apprehension that the petitioners may repeat the offence can also be taken care of by imposing suitable conditions. Therefore, the contentions raised by the prosecution are not sufficient to deny bail to the petitioners. Accordingly, this Court is of the considered opinion that the petitioners are entitled to be enlarged on regular bail. Accordingly, the point under discussion is answered in the **affirmative** and I proceed to pass the following:

### **ORDER**

The bail petition filed by petitioners /accused No.1 and 2 under Sec.483 of BNSS, is allowed.

Petitioners is ordered to be released on bail in Cr.No.78/2026 of Sirwar police station on execution of bail

bonds for Rs.50,000/- each, with one surety for like sum on the following conditions;

1. They shall co-operate with the investigation.
2. They shall furnish ID proof of themselves and surety.
3. They shall not tamper or threaten the prosecution witnesses.

(Dictated to the Stenographer Grade-III, transcribed and typed by him, same is corrected, signed and pronounced by me in the open Court on this the 4<sup>th</sup> day of July, 2026)

**(B.B. Jakati)**

Principal District & Sessions Judge &  
C/C of II Additional Dist & Sessions Judge,  
Raichur.