

KARC010016562026

**IN THE COURT OF PRL. DIST. & SESSIONS JUDGE, RAICHUR.****Crl.Misc. No.286/2026****PRESENT*****Sri. B.B.Jakati***

B.A., LL.M.,

Prl Dist. & Sessions Judge, Raichur,

Dated this the 8th day of July, 2026**Petitioner :-**

Ali Pasha S/o Khasim Sab, aged about: 50 years,
R/o Masarakal vilage, Tq: Deodurga, Dist: Raichur.
(Accused No.6 as per charge sheet)

(By Shri Tayappa, Advocate)

// **Versus** //**RespondentS:**

1. The State through SHO, Gabbur Police Station, Dist. Raichur.
2. Channappa S/o Shivappa, aged about: 46 years, occ: Farmer, R/o Kakaragal, Tq: Devadurga, Dist: Raichur
(Through learned Public Prosecutor)

ORDER

This petition is filed under Section 482 of BNSS., for anticipatory bail in Cr.No.**105/2024** of Gabbur Police Station, which is registered for the offences punishable under Sections 406 and 420 of IPC.

2. The petitioner has contented that, he is innocent of the alleged offences and false case has been foisted against him; there are no reasonable grounds to believe that he is guilty of the offences alleged against him; he is permanently residing in the address mentioned in cause title, he does not have any criminal antecedents; he is ready to abide by any conditions that may be imposed by the court. On these amongst other grounds shown in the petition he prayed for anticipatory bail.

3. The prosecution has filed objections narrating the complaint allegations and prayed to reject the petition.

4. Heard argument of both sides and perused the records.

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

Whether the petitioner is entitled for anticipatory bail ?

6. My finding is in the affirmative for the following:

REASONS

7. The case of the prosecution, as could be seen from the records, is that on 29.03.2024 at about 10.00 p.m., petitioner/accused No. 1 to 6 received chilly from CW-1, CW-6 to CW-11 for sale. After selling the chilly, they paid a portion of the sale proceeds to CW-1, CW-6 to CW-11 and assured them that the balance amount would be paid after some time. However, despite the lapse of more time, accused No.6/ the petitioner failed to pay the balance amount and thereby allegedly cheated them and committed criminal breach of trust.

8. Though the offences punishable under Sections 406 and 420 of the IPC are non-bailable in nature, they are not punishable with death or imprisonment for life. The petitioner has a permanent place of residence. Moreover, the investigation has been completed and the charge sheet has

been filed. The custodial interrogation of the petitioner is no longer required. If the petitioner is arrested, he would be subjected to unnecessary humiliation. Therefore, petitioner/accused No.6 is entitled to be released on anticipatory bail. Accordingly, I answer this point in the **affirmative** and proceed to pass the following;

ORDER

The petition filed under Sec. 482 of BNSS is hereby allowed.

The **Gabbur** Police is hereby directed to release the petitioner / accused No.6 on anticipatory bail in the event of his arrest in Cr.No.**105/2024**, on executing bail bond for a sum of Rs.50,000/- with one surety for the like-sum, subject to the following conditions:

1. He shall surrender before the concerned court within 15 days from the date of this order and execute bail & surety bonds.
2. He shall furnish ID proof of himself and surety.
3. He shall not tamper or threaten the prosecution witnesses.

(Dictated to the Steno Grade-III, transcribed by him, corrected, signed and then pronounced by me in the open court, on this the 8th day of July, 2026).

(B. B. Jakati),
Prl District & Sessions Judge,
Raichur.

*ssp