

KARC060003862026



**IN THE COURT OF III-ADDL. DIST. & SESSIONS JUDGE, RAICHUR, SITTING AT
SINDHANUR .**

Crl. Misc. No.5156/2026

PRESENT: Sri. B.B.Jakati
B.A., LL.M.,

III-Addl. Dist. & Sessions Judge, Raichur,
Sitting at Sindhanur.

Dated this the 30th day of May, 2026

PETITIONERS/ACCUSED:-

1. Nijaguni Gunti @ Nijaguneppa, S/o.Shrinivas, 41 years, Agriculture,
2. Gurucharan Dham @ Gurucharan, S/o.Doddappa Dham, 33 years, Agriculture,

Both are R/o.Sarjapur village, Lingasugur Taluk,
Raichur Dist.

(Accused No.1 and 2 as per FIR)
(By Shri B.B., Adv.,)

// Versus //

RESPONDENT:-

The State through SHO, Lingasugur Police
Station, Dist. Raichur.

(Through learned Public Prosecutor)

ORDER

This petition is filed under Section **482 of BNSS** for anticipatory bail in Cr.No.**114/2026** of **Lingasugur** Police Station which is registered for the offences punishable u/Ss.189(2), 191(2), 115(2), 121(1), 127(2), 132, 74, 352, 351(2), 190 of BNS.

2. The gist of the complaint is that the complainant is the Panchayath Development Officer (in short PDO) of Sarjapur Grama Panchayath. There was drinking water problem in Sarjapur village and the villager had protested for improper supply of drinking water. On 3.4.2026 the villagers locked the Grama Panchayath. On the same day, the drinking water problem was set at right by the panchayath. On 4.4.2026 at about 8.30 p.m., the PDO and other staff members of Panchayath went to the office and asked the villagers to open the door. The villagers did not open the door and therefore, the lock was break open. The PDO and other staff had commenced their work in the panchayath. Thereafter, the villagers including the accused went to the panchayath and questioned breaking open of lock and discharge of duties by PDO and her staff in the panchayath. The accused have locked the office of PDO and staff by confining them in the Panchayath Office. Thereafter, the lock was opened. The accused dragged the PDP outside the office and assaulted her. The accused have abused the PDO in filthy language and threatened. Therefore, the PDO went to the police station and reported the matter on 6.4.2026. On the basis of the first information, the FIR

was registered against accused No.1 and 2. They have apprehended their arrest and therefore, they have filed the present petition for anticipatory bail.

3. The prosecution has filed objection to the bail petition narrating the allegations in the complaint and contended that if the petitioners are released on bail, they may repeat the offence and they may not co-operate with the investigation.

4. The learned counsel for the petitioners has argued that the complainant/PDO is a resident of Sarjapur village and has been working in the same Grama Panchayath for more than four years. The villagers had submitted representations to the higher authorities seeking her transfer. There was a drinking water problem in the village and the complainant had failed to resolve the same satisfactorily. Therefore, the villagers were aggrieved by her conduct. The complainant was having grudge against the petitioners and other villagers on account of the agitation conducted against her and, with an ulterior motive, she has lodged a false complaint. The petitioners are innocent persons. The petitioners are permanent residents of the village and are ready and willing to cooperate with the Investigating Officer during the course of investigation. If the petitioners are arrested, they would be subjected to unnecessary hardship and humiliation.

5. The learned Public Prosecutor has opposed the submission of the learned counsel for the petitioners and prayed to reject the petition.

6. I have carefully perused the records.

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

Whether the petitioners are entitled for anticipatory bail ?

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

REASONS

9. The allegations in the complaint disclose that there was a drinking water problem in Sarjapur village. Due to improper supply of drinking water by the Grama Panchayath, the villagers were protesting against the alleged mismanagement of the Panchayath. The complainant was serving as the Panchayath Development Officer (PDO) and, therefore, it was her responsibility to address the grievances of the villagers. The material placed on record prima facie indicates that the villagers were dissatisfied with the functioning of the complainant and had submitted representations seeking her transfer.

10. The allegations further reveal that the accused and other villagers had locked the Grama Panchayath office on account of the failure of the Panchayath to resolve the drinking water problem. It appears that the petitioners were leading the agitation along with other villagers and, therefore, their names have been included in the FIR. Prima facie, the alleged incident appears to have arisen out of the agitation concerning the inadequate supply of drinking water in the village.

11. The offence punishable under Section 121(1) of the BNS is

punishable with imprisonment for five years or fine. The offence under Section 132 of the BNS is punishable with imprisonment for two years or fine. The offence under Section 74 of the BNS is punishable with imprisonment for one year which may extend to five years and fine. Thus, the non-bailable offences alleged against the petitioners are not punishable with death or imprisonment for life. The remaining offences shown in the FIR are bailable in nature.

12. The petitioners are permanent residents within the jurisdiction of this Court. Nothing remains to be recovered at their instance. Therefore, their custodial interrogation does not appear to be necessary. If the petitioners are arrested, they would be subjected to unnecessary humiliation and hardship. The apprehension of the prosecution can be adequately addressed by imposing suitable conditions. Hence, in order to protect the personal liberty of the petitioners, they are entitled to the relief of anticipatory bail. Accordingly, I answer the point under consideration in the affirmative and proceed to pass the following:

ORDER

The petition filed **u/S.482 of BNSS**, is hereby allowed.

The Lingasugur Police is hereby directed to release the petitioners on anticipatory bail in the event of their arrest in Cr.No.**114/2026**, on executing personal bond for a sum of Rs.50,000/- each with one surety for the like-sum, subject to the following conditions;

1. They shall surrender before the concerned court within 15 days from the date of this order and execute personal & surety bonds.
2. They shall furnish ID proof of themselves and surety.
3. They shall co-operate with investigation.
4. They shall not tamper or threaten the prosecution witnesses.
5. They shall mark their attendance before the concerned police on every Sunday between 11.00 a.m., and 5.00 p.m., till filing of the final report.

(Dictated to the Steno Grade-I, transcribed by her, corrected, signed and then pronounced by me in the open court, on this the 30th day of May, 2026.)

(B. B. Jakati)

**III Addl. District & Sessions Judge, Raichur,
Sitting at Sindhanur.**

