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

Crl. Misc. No.5247/2026

PRESENT

SRI. SOMASHEKARA A., B.A.L., LL.M.,
III ADDITIONAL DISTRICT AND SESSIONS JUDGE, RAICHUR
SITTING AT SINDHANUR

Dated this the 14th day of July, 2026

PETITIONER/S :-

1. Altaf, S/o.Hussain Sab, 19 years,
Student, R/o.W.No.14, Ganga-
nagar, Sindhanur, Sindhanur Taluk,
Raichur Dist.
2. Altaf, S/o.Dastigirsab, 24 years,
Private Employee, R/o.Near Water
Tank, Basavanagar Road,
W.No.14, Sindhanur, Sindhanur
Taluk, Raichur Dist.

(Accused No.3 & 4 as per FIR)
(By Shri G.S, Adv.,)

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// Versus //**RESPONDENT/S:-**

The State through SHO, Sindhanur
Town Police Station, Dist. Raichur.

(Through learned Public Prosecutor)

ORDER

This is a petition filed by the petitioners/Accused Nos.3 and 4 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking grant of anticipatory bail in Crime No.159/2026 of Town Police Station, Sindhanur, registered for the offences punishable under Sections 109(1), 115(2), 118(1), 189(2), 191, 74, 351(2) and 352 of the Bharatiya Nyaya Sanhita, 2023.

2. Facts of the Case

The brief facts of the prosecution case, as revealed from the complaint and FIR, are that the complainant's son was

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running a tea stall near the Water Tank on Kustagi Road, Basavanagar, Sindhanur. It is alleged that the accused persons were frequently picking up quarrels with the complainant's son over petty issues relating to the tea business. On 30.04.2026 at about 6.00 p.m., when the complainant, her son and daughter were present in front of the tea stall, accused Nos.1 to 5 allegedly formed themselves into an unlawful assembly armed with iron rods, abused them in filthy language and assaulted the complainant's son on his back, hands, neck and knees with an intention to cause his death. It is further alleged that when the complainant intervened to rescue her son, one of the accused pulled her saree, thereby outraging her modesty, and accused No.5 assaulted the complainant's daughter. It is also alleged that all the accused threatened the complainant and her family with dire consequences before leaving the spot. Based on the

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complaint, the respondent police registered the above.

3. The petitioners contend that they are innocent and have been falsely implicated in the case. According to them, no specific overt act has been attributed against them and they have been roped in merely because they are acquainted with the other accused. It is further contended that they are permanent residents of Sindhanur, they are young persons having roots in society, there is no necessity for their further custodial detention, and they are ready to abide by any condition that may be imposed by this Court. The petitioners have also specifically contended that the co-accused involved in the very same crime have already been enlarged on anticipatory bail and regular bail by this Court in **Crl. Misc. Nos.5197/2026, 5198/2026 and 5202/2026**, and therefore they are also entitled to the benefit of parity.

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4. The learned Public Prosecutor filed detailed objections opposing the petition. It is contended that the allegations disclose the commission of grave and non-bailable offences and that the petitioners actively participated in the unlawful assembly and assault. It is further contended that if the petitioners are released on bail, there is every likelihood of their threatening or influencing the complainant and other prosecution witnesses, tampering with the prosecution evidence, absconding from the jurisdiction of the Court and repeating similar offences. Hence, it is prayed that the petition be dismissed.

5. I have heard the learned counsel appearing for the petitioners and the learned Public Prosecutor appearing for the respondent-State. I have also carefully perused the petition, objections, FIR, complaint and other material placed on record.

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6. The following point arises for consideration:

Whether the petitioners/Accused Nos.3 and 4 have made out sufficient grounds for grant of anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, in Crime No.159/2026 of Town Police Station, Sindhanur?

7. My finding to the above point is in the Affirmative, for the following;

REASONS

8. The prosecution case discloses that the petitioners, who are arrayed as accused Nos.3 and 4, along with the other accused, allegedly formed an unlawful assembly, assaulted the son of the complainant with iron rods, outraged the modesty of the

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complainant by pulling her saree and criminally intimidated the complainant and her family. The learned Public Prosecutor opposed the petition by contending that the offences are serious in nature and that, if enlarged on bail, the petitioners may threaten the complainant and other prosecution witnesses and thereby hamper the investigation.

9. Per contra, the learned counsel for the petitioners has submitted that the petitioners are innocent, they have been falsely implicated, there is no necessity for their further custodial detention and that they are permanent residents of Sindhanur. It is also submitted that the petitioners are similarly placed with the other co-accused.

10. On careful consideration of the rival submissions and the material available on record, this Court finds considerable

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force in the contention of the petitioners regarding parity. It is not in dispute that in respect of the very same Crime No.159/2026 of Town Police Station, Sindhanur, this Court has already enlarged the similarly placed co-accused on anticipatory bail and regular bail in **Crl. Misc. Nos.5197/2026, 5198/2026 and 5202/2026**. The allegations against the present petitioners arise out of the same transaction and there are no distinguishing circumstances placed before this Court by the prosecution to deny them the benefit of parity. The principle of parity is one of the relevant considerations while exercising jurisdiction under Section 482 of the BNSS, unless there exist special circumstances justifying a different view.

11. The investigation has substantially progressed and the prosecution has not demonstrated that the custodial interrogation of the present petitioners is still required. The apprehension

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expressed by the prosecution regarding tampering with the prosecution witnesses can be adequately safeguarded by imposing stringent conditions. The petitioners are stated to be permanent residents of Sindhanur and there is nothing on record to indicate that they would abscond or evade the process of law if released on bail.

12. Having regard to the facts and circumstances of the case, the nature of the allegations, the principle of parity with the co-accused who have already been granted bail by this Court in Crl. Misc. Nos.5197/2026, 5198/2026 and 5202/2026, and without expressing any opinion on the merits of the prosecution case, this Court is of the considered opinion that the petitioners have made out sufficient grounds for grant of anticipatory bail.

13. Accordingly, I answer the point for consideration **in the**

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Affirmative and proceed to pass the following:

ORDER

The petition filed by petitioner Nos.1 and 2/Accused Nos.3 and 4 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, is allowed.

In the event of their arrest in Crime No.159/2026 of Town Police Station, Sindhanur, for the offences punishable under Sections 109(1), 115(2), 118(1), 189(2), 191, 74, 351(2) and 352 of the Bharatiya Nyaya Sanhita, 2023, the petitioners/accused Nos.3 and 4 shall be released on anticipatory bail subject to the following conditions:

1.Each petitioner shall execute a personal bond for a sum

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of ₹1,00,000/- (Rupees One Lakh only) with one Surety for the like sum to the satisfaction of the jurisdictional Court.

2.The petitioner shall surrender before the Investigating Officer within fifteen (15) days from the date of this order and shall cooperate with the investigation.

3.The petitioner shall appear before the Investigating Officer as and when called for interrogation.

4.The petitioner shall not directly or indirectly induce, threaten, allure or promise any prosecution witness and shall not tamper with the prosecution evidence.

5.The petitioner shall not leave the jurisdiction of the Trial Court

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without prior permission until filing of the final report.

6.The petitioner shall furnish her residential address and mobile number to the Investigating Officer and shall intimate any change thereof forthwith.

7.The petitioner shall not involve herself in any offence of similar nature during the pendency of the case.

Violation of any of the above conditions shall entail cancellation of bail in accordance with law.

(Dictated to the Steno Grade-I on monitor, typed by her, corrected, signed and then pronounced by me in the open court, on this the 14th day of July, 2026.)

(SOMASHEKARA A.)

III ADDITIONAL DISTRICT AND SESSIONS JUDGE, RAICHUR
SITTING AT SINDHANUR

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