



**IN THE COURT OF THE III ADDL. DIST & SESSIONS JUDGE,  
RAMANAGARA**

**PRESENT:**

**Smt. M. Panchakshari, M.Com., LL.B,  
I Addl. Dist. & Sessions Judge, Ramanagara.  
C/c III Addl. Dist. & Sessions Judge, Ramanagara.**

**Dated this the 12<sup>th</sup> day of March 2026**

**S.C.No.74/2024**

Complainant : The State of Karnataka,  
by Ramanagara Town P.S.

**(By P.P., Ramanagara)**

Vs.

Petitioner/: Sri. Navaz @ Navaz Pasha  
A1 @ Koli Navaz A/o Ajaj Pasha,  
Aged about 23 years,  
R/at 1<sup>st</sup> Cross, 1<sup>st</sup> Stage,  
Near Noorani Maszid,  
Yarab Nagara, Ramanagara Town.

**(By Sri.B.K.R., Advocate for A1)**

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**ORDER**

The applicant/accused No.1 had filed this bail application U/Sec.439 of Cr.P.C., for his enlargement on bail.

2. The brief facts of the petitioner's case is as under:

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The bail application is filed on behalf of the accused No.1 seeking his enlargement on bail. It is contended on behalf of accused No.1 that, Ramanagara Town police have registered a case against accused No.1 for the offences punishable under Section 397 of IPC. The petitioner filed bail application in Cr.No.88/2020 on 18.09.2020 he was granted bail and was appearing before the Court. But on 09.06.2025 he remained absent so NBW was issued. Thereafter, Ramanagara Town Police had arrested him and produced before the Court on 28.01.2026, so he was remanded to judicial custody. He was in judicial custody in Cr.No.88/2020 registered by Ramanagara Town Police Station, Ramanagara District. So, he was not able to appear before the Court in this case.

3. It is the contention of the petitioner/accused No.1 that, he is innocent and he is law abiding citizen. The offence alleged against accused No.1 is not punishable with death and exclusively triable by this Court. He is the permanent address shown in the cause title. He is ready to furnish surety and he is ready to abide by the conditions that may be imposed by this Court. Hence, prayed for allowing the bail petition.

4. The above bail application is opposed by the prosecution and the Learned P.P. had filed the

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objections wherein prayed for dismissal of bail application. It is contended that, accused was already on bail but he failed to comply the conditions of his earlier bail order thereby non-bailable warrant has been issued. He had failed to place believable reason for his absence before the Court to entertain his bail application. The final report with documents makes out the involvement of the present accused in the crime. So, if accused is enlarged on bail he will tamper the prosecution witnesses. The bail plea are only the sympathized contentions and substances which lack merits. Hence, prayed for dismissal of the bail application.

5. Heard the learned counsel for the petitioner/accused No.1 and also the learned Public Prosecutor for the State.

6. The following points arise for court consideration;

1) Whether the petitioner/accused No.1 makes out sufficient grounds for his enlargement on bail Sec.439 of Cr.P.C.?

2) What order?

7. The findings of this court on the above points are as under;

Point No.1:- In the Affirmative.

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

**REASONS**

8. **Point No.1**:- Ramanagara Town Police had filed the charge sheet for the offence punishable under Sec.397 of IPC. There are altogether four accused and the case has been committed as the offence is triable by the Court of sessions. At the time of committal orders accused No.1 was on Court bail and accused Nos.2 & 3 having continuously remained absent case against them had been split up. After committal, summons to accused No.1 was issued and as accused No.4 was in judicial custody, jail authorities were directed to produce accused No.4. Now, the petitioner herein is none other than accused No.1. He was released on bail as per the orders in Cr.No.88/2020 and he offer surety on 18.09.2020. On perusal of the order sheet, it makes out that after filing the charge sheet against accused No.1 and 4, summons was issued to accused No.1 i.e., the petitioner herein as he was on bail. Accused No.1 had appeared on 29.11.2024 and he had been enlarged on bail before this Court after committal of the case and also offered surety. When the matter stood for hearing before charge, thereafter, as accused No.1 had remained absent NBW was issued on 09.06.2025 and warrant presence of accused No.1 was secured on 28.01.2026.

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So, he had been taken to custody and remanded to Judicial Custody. As accused No.1 had violated the bail condition, his bail prayer is seriously opposed by the Learned Public Prosecutor. The contention of the petitioner is that, as accused was suffering from ill-health i.e., jaundice, he was on treatment at his native. So, he could not appear before the Court and in the meanwhile, NBW was issued. So, the absence of the accused is for bonafide reason. He is the sole bread earner of the family consisting of large number of members and he undertakes to appear on all hearing dates and the offence is exclusively triable by this Court and it is not punishable with death or imprisonment for life and accused had already been granted bail with reasonable conditions.

9. So, taking into consideration the contention of the accused, that he being the permanent resident of the address shown in the cause title and also having undertaken that he will abide by any condition that would be imposed and keep himself present on all hearing dates and co-operate with the trial. As accused No.4 is also granted bail it is just and appropriate. In the circumstances, I hold the above point in the Affirmative.

10. **Point No.2:-** In view of the discussions made supra, this court proceeds to pass the following;

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**ORDER**

The bail application filed by the applicant/accused No.1 under Section 439 of Cr.P.C., is hereby allowed.

The applicant/accused No.1 is enlarged on bail by executing his personal bail bond for a sum of Rs.1,00,000/- with one surety for likesum subject to the following;

**CONDITIONS**

1. The applicant/accused No.1 shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case.
2. The applicant/accused No.1 shall regularly appear before the Court.
3. The applicant/accused No.1 shall not commit any offence similar to the offence of which he is accused or any other offence.
4. Breach of any of the conditions by accused No.1 would entail cancellation of bail.

(Dictated through Aadalath AI, thereafter transcribed by Stenographer Grade-I and after corrections, printout taken and then pronounced and signed by me in the open Court, on this the 12<sup>th</sup> day of March, 2026)

(M. Panchakshari)  
I Addl. Dist. & Sessions Judge,  
Ramanagara.  
C/c III ADJ., Ramanagara.

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**FACTS 2nd para**

The bail petition is filed on behalf of the accused No.4 seeking his enlargement on bail. It is contended on behalf of accused No.4 that, Ramanagara Town police have registered a case against accused No.4 for the offences punishable under Section 397 of IPC. The petitioner filed bail application in CrI.Misc. No.847/2024 on 25.10.2024 he was granted bail and was appearing before the Court. But on 09.06.2025 he remained absent so NBW was issued. Thereafter, Ramanagara Town Police had arrested him and produced before the Court on 25.06.2025, so he was remanded to judicial custody. He was in judicial custody in Cr.No.87/2025 registered by Hebbur Police Station, Tumakuru District. So, he was not able to appear before the Court in this case. Nobody knew that he was arrested in Cr.No.87/2025.

3. It is the contention of the petitioner/accused No.4 that, he is innocent and he is law abiding citizen. The offence alleged against accused No.4 is not punishable with death and exclusively triable by this Court. He is the permanent address shown in the cause title. He is ready to furnish surety and he is ready to abide by the conditions that may be imposed by this Court. Hence, prayed for allowing the bail petition.

4. The above bail application is opposed by the prosecution and the Learned P.P. had filed the objections wherein prayed for dismissal of bail application. It is contended that, accused was already on bail but he failed to comply the conditions of his earlier bail order thereby non-bailable warrant has been issued. He had failed to place believable reason for his absence before the Court to entertain his bail application.

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The final report with documents makes out the involvement of the present accused in the crime. So, if accused is enlarged on bail he will tamper the prosecution witnesses. The bail plea are only the sympathized contentions and substances which lacks of merits. Hence, prayed for dismissal of the bail application.

5. Heard the learned counsel for the petitioner and also the learned Public Prosecutor for the State.

6. The following points arise for court consideration;

1) Whether the petitioner/accused No.4 makes out sufficient grounds for his enlargement on bail Sec.439 of Cr.P.C.?

2) What order?

7. The findings of this court on the above points are as under;

Point No.1:- In the Affirmative.

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

### **REASONS**

8. **Point No.1:-** Ramanagara Town Police had filed the charge sheet for the offence punishable under Sec.397 of IPC. There are altogether four accused and the case has been committed as the offence is triable by the Court of sessions. At the time of committal orders accused No.1 was on Court bail and accused Nos.2 & 3 having continuously remained absent case against them had been split up. After committal summons to accused No.1 was issued and as accused No.4 was in judicial custody, jail authorities were directed to produce accused No.4. Now, the petitioner herein is none other than accused No.4. He was released on bail as per the orders in Crl.Misc.No.847/2024 and he offer surety on

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29.10.2024. On perusal of the order sheet it makes out accused Nos.1 & 2 were present on 27.12.2024 and 07.04.2025, but they were absent on 09.06.2025, so as there was no representation on behalf of the accused warrant was issued. His contention is that, as he was in judicial custody in Cr.No.87/2025 registered by Hebbur Police Station, Tumakuru District, he could not appear before the Court and also could not intimate his counsel. So, taking into consideration this contention as accused had kept himself present on all hearing dates after his bail. As he had also stated that, he is the resident of Ramanagara Town and also having undertaken to give surety for his enlargement on bail. It is just and appropriate to grant bail in favour of the accused. In the circumstances, I hold the above point in the Affirmative.

9. Point No.2:- In view of the discussions made supra, this court proceeds to pass the following;

**ORDER**

The bail application filed by the petitioner/accused No.4 under Section 439 of Cr.P.C., is hereby allowed.

The petitioner/accused No.4 is enlarged on bail by executing personal bail bond for a sum of Rs.1,00,000/- with one surety for the like sum, subject to following;

**CONDITIONS**

1. The applicant/accused No.4 shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case.
2. The applicant/accused No.4 shall regularly appear before the Court.
3. The applicant/accused No.4 shall not commit any offence similar to the offence of which he is accused or any other offence.
4. Breach of any of the conditions by accused No.4 would entail cancellation of bail.