

KARN300000862026



**IN THE COURT OF THE II ADDITIONAL DISTRICT AND
SESSIONS JUDGE, BENGALURU SOUTH DISTRICT, SIT
AT KANAKAPURA.**

Dated this the 13th day of March 2026

Present

SRI. KUMAR.H.N., B.A.L., LL.B.,
II Addl. District & Sessions Judge,
Bengaluru South District, sit at Kanakapura.

CRL.MISC.No.5050/2026

Petitioners :	1	Sri. Dileep S/o Krishnegowda, Aged about 28 years, R/at Muggur Village, Kodihalli Hobli, Kanakapura Taluk, Bengaluru South District. (Accused No.1)
	2	Sri. Doddalingegowda @ Abhi S/o Kalasegowda, Aged about 32 years, R/at Singadi Doddi, Hamlet of Bannimukkodlu Village, Kodihalli Hobli, Kanakapura Taluk, Bengaluru South District. (Accused No.2) (By Sri. C.M.Jagadeesha, Advocate)

	/s	
Respondent :		State by Range Forest officer and Wild Life Range Guard, Muggur Wild Life Range, Hunasanahalli, Kodihalli Hobli, Kanakapura Taluk, Bengaluru South District, Represented by its Public Prosecutor, Court Complex, Kanakapura. <p style="text-align: right;">(By the Public Prosecutor)</p>

Orders on Application Filed U/s 483 of BNSS-2023

1. The petitioners who are arraigned as accused No.1 and 2 have filed this petition U/s 483 BNSS-2023, seeking regular bail in WLOR.No.01/2026 of Respondent Range Forest Officer Muggur Wild Life Range, for the offences punishable U/sec.9, 27, 29, 31, 39 r/w 2(16), 2(24A), 2(26), 2(35), 2(37), 50, 51 of Wild Life Protection Act 1972.

2. Briefly stated the petition averments are to the following effect:

a) On the basis of the complaint given by Sunil.V, DRFO, the respondent Range Forest Officer, Muggur Wild Life Range have registered

the case in WLOR-01/2026 against the petitioners for the offence punishable U/sec.9, 27, 29, 31, 39 r/w 2(16), 2(24A), 2(26), 2(35), 2(37), 50, 51 of Wild Life Protection Act 1972.

b) In the petition averred that, on 28.02.2026 the informant had received the credible informant that, some unknown persons have illegally trespassed to the Doddibore Konchalu forest area of Chavarakallu reserve forest of Muggur Wile Life Division, an account of that, the informant along with his staff went to the Doddibore Konchalu forest area and noticed that, some unknown persons have illegally entered the forest area and also noticed that, they are in search of some thing else by torch light. Later the informant stalked the unknown persons and by seeing the informant and his staff members, the unknown persons have ran away from the forest area and the informant have caught the persons at Mulberry land belongs to one Kalegowda Bannimukodlu village and thereafter the petitioners have disclosed their name and particulars and on enquiury with the petitioners

they have illegally trespassed the forest area along with country made 2 barrel gun to hunt the wild creature. Thereafter the petitioners the respondent authority have taken custody of the petitioners and also 2 country made barrel gut by drawing the mahazar. Hence the complaint.

c) The petitioners are innocent person in respect of alleged offence is concerned. Petitioners are having law abiding citizen. There is no prima-facie material to connect the petitioner to the alleged incident.

d) The Petitioners are not required for any further investigation purpose in any manner by the prosecution due to since the petitioners are in judicial custody from 28.02.2026.

e) Further pleads that, the petitioners undertake to abide all reasonable conditions imposed by this court and ready to offer surety to the satisfaction of this court and prays for grant of bail U/s 483 of BNSS-2023.

3. The learned public prosecutor filed objection along with IO report dated 09.03.2026 to following effect:

a) The petition is not maintainable and grounds urged seeking bail are not tenable.

b) The learned public prosecutor reiterated the complaint averments of the complainant and contention of the first information report, further the learned public prosecutor objects on the ground that in the event of granting bail U/s 483 of BNSS-2023, the petitioners may likelihood committing similar grave offences and create obstacle for the prosecution case and also chances of flee from the clutches of the law.

c) Further the learned public prosecutor also oppose the bail application filed U/s 483 of BNSS-2023, posing the reasons that the petitioners are directly involved in the alleged offence and there is a prima-facie case against the petitioners and prays for rejection of the bail petition.

4. Heard Arguments from both sides and perused the FIR, complaint and other materials placed on record.

5. Now the points that arise for my consideration as follows;

1.	Do the petitioners/accused No.1 and 2 have made out prima-facie case for granting bail by resorting to the special powers vested in this court U/s 483 of BNSS-2023.?
2.	What Order?

6. My answer to the above points are as under:

Point No.1 :	In the Affirmative.
Point No.2 :	As per final order for the following;

REASONS

7. POINT No.1:- Thus the petitioners are seeking regular bail contending that a false case has been foisted against them.

8. On the other hand the prosecution has resisted bail petition on the ground that the charges leveled against the petitioners are very grave and their custodial presence is required for the investigation.

9. The material available on record it borne that, on 28.02.2026 the informant had received the credible informant that, some unknown persons have illegally trespassed to the Doddibore Konchalu forest area of Chavarakallu reserve forest of Muggur Wile Life Division, an account of that, the informant along with his staff went to the Doddibore Konchalu forest area and noticed that, some unknown persons have illegally entered the forest area

and also noticed that, they are in search of some thing else by torch light. Later the informant stalked the unknown persons and by seeing the informant and his staff members, the unknown persons have ran away from the forest area and the informant have caught the persons at Mulberry land belongs to one Kalegowda Bannimukodlu village and thereafter the petitioners have disclosed their name and particulars and on enquiury with the petitioners they have illegally trespassed the forest area along with country made 2 barrel gun to hunt the wild creature. Thereafter the petitioners the respondent authority have taken custody of the petitioners and also 2 country made barrel gut by drawing the mahazar. Upon first information provided by the informant the respondent Forest officer have registered the FIR against the petitioners in WLOR-1/2026 for the offences punishable U/sec.9, 27, 29, 31 r/w 2(16), 2(24A), 2(26), 2(35), 2(37), 50, 51 of Wild Life Protection Act 1972. From the material available on record that the petitioners are in judicial custody from 28.02.2026. Under these circumstances the petitioners have knocks the doors of this Hon'ble court for grant of bail by resorting extraordinary jurisdiction as enumerated U/s 483 of BNSS-2023.

10. During the course of arguments the counsel for the petitioners vehemently argued that the complainant has filed the false and vexatious complaint against the petitioners. As such

there is no any incident took place as alleged by the complainant in the complaint. The petitioners are the bread earners and care takers of their family, coming from the respectable family and having no antecedents of any indulging any criminal activities and further the petitioners are ready abide any conditions that may be imposed by the Hon'ble court while imposing any conditions while granting the bail U/sec.483 of BNSS-2023. Under these circumstances the counsel for the petitioners prays for grant of regular bail to the petitioner by exercising extraordinary jurisdiction as laid down U/sec.483 of BNSS-2023.

11. In contra the learned Public Prosecutor vehemently argued that, the allegation leveled against the petitioners are very grave and non-bailable in nature. The custodial presence is very much required for the purpose of investigation. The statement of the witnesses is yet to be recorded and investigation is under progress by posing afore said reason prays for reject the bail application.

12. It appears, from the contents of the FIR and complaint the allegations against the petitioners that, the petitioners have illegally trespassed the forest land area comes with in the purview of cauvery wild life sanctuary along with 2 country made barrel gun and also allegation leveled against the petitioners that, they have intended to hunt the Wild creature and on credible information

from the informant, the respondent forest authority went to forest area and have registered the criminal case against the petitioners on their own statement and drawn the mahazar and same is submitted under the property seizure report dated 28.02.2026. From the material available on records that, the respondent have drawn the spot and seizure mahazar and seized the articles and investigation is yet to be completed. Further the respondent forest office authority have not brought material before this court that, petitioners are required for further investigation. Considering the allegations leveled against the petitioners and the said offence is not punishable with death imprisonment are imprisonment life. Considering the peculiarity of the facts and circumstances of the case, at this stage the petitioners have made out prima-facie case to invoke the U/sec.483 of BNSS-2023., in exercising extraordinary jurisdiction to the instant case.

13. On scrutinizing material available on record that, the petitioners are in judicial custody from 28.02.2026 and the police authority is yet to be completed investigation. On going through the circumstances of the case it can not be ground to refuse regular bail and if such material is consider it would make the petitioners herein to languish in jail long period. Therefore imposing of certain conditions would safeguard the apprehensions mentioned in the objection, the petitioners are entitle for grant of regular bail.

14. From considering the material available on record there is a prima-facie case made out by the petitioners to exercise the extraordinary jurisdiction to grant the relief prayed in the application U/sec.483 of BNSS-2023. Considering the facts and circumstances of the case this court is incline to the grant the regular bail to petitioners.

15. Taking into consideration these aspects, without expressing any merits of the case this court hold that petitioners are entitled for regular bail and accordingly. Point No.(i) is answered in the **Affirmative**.

16. Point No.(ii): in view of my findings on point No.(i), this court proceed to pass the following;

ORDER

The bail petition filed by the petitioners/accused No.1 and 2 U/sec.483 of BNSS-2023, is hereby allowed.

The petitioners/accused No.1 and 2 is ordered to be released on bail of Range Forest Officer Muggur in WLOR.No.01/2026 for the offences punishable U/sec.9, 27, 29, 31 r/w 2(16), 2(24A), 2(26), 2(35), 2(37), 50, 51 of Wild Life Protection Act 1972, on execution of

personal bond for Rs.50,000/- with one surety for like sum subject to following conditions;

1. The petitioners/accused No.1 and 2 shall not threaten or tamper with the prosecution witness nor shall they abscond.

2. The petitioners/accused No.1 and 2 shall co-operate with the investigation.

3. The petitioners/accused No.1 and 2 shall not involve in any similar criminal activities. **(the condition No.4 is sine-qua-non of this order, in case the petitioner found in any criminal case, the police have liberty to move an application for cancellation bail in accordance with law).**

4. The petitioners/accused No.1 and 2 shall intimate change of his address, if any, either to the police concerned or court as the case may be.

5. The petitioners/accused No.1 and 2 shall mark their attendance before the respondent Range Forest Officer Muggur, on every alternative Sunday commencing from

22.03.2026 to 10.05.2026 between 10.00 am to 12.00 pm for a period of 08 weeks or till filing of the final report, whichever is earlier.

(Typed to my dictation on compute by the Typist and print out taken by him, then corrected and pronounced by me in the Open court on this the 13th day of March 2026)

(KUMAR.H.N)

II Addl. District & Sessions Judge,
Bengaluru South District, sit at Kanakapura.

Order pronounced in open court
vide separate order

ORDER

The bail petition filed by the petitioners/accused No.1 and 2 U/sec.483 of BNSS-2023, is hereby allowed.

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1. The petitioners/accused No.1 and 2 shall not threaten or tamper with the prosecution witness nor shall they abscond.

2. The petitioners/accused No.1 and 2 shall co-operate with the investigation.

3. The petitioners/accused No.1 and 2 shall not involve in any similar criminal activities. **(the condition No.4 is sine-qua-non of this order, in case the petitioner found in any criminal case, the police have liberty to move an application for cancellation bail in accordance with law).**

4. The petitioners/accused No.1 and 2 shall intimate change of his address, if any, either to the police concerned or court as the case may be.

5. The petitioners/accused No.1 and 2 shall mark their attendance before the respondent Range Forest Officer Muggur, on every alternative Sunday commencing from 22.03.2026 to 10.05.2026 between 10.00 am to 12.00 pm for a period of 08 weeks or till filing of the final report, whichever is earlier.

(KUMAR.H.N)
II Addl. District & Sessions Judge,
Ramanagara, sit at Kanakapura.