

KARN300000902026



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

Dated this the 25<sup>th</sup> 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.5052/2026**

<b>Petitioners</b>	1	Sri. Shivu @ Poojarappa S/o Hucchegowda, Aged about 60 years, (Accused No.2)
	2	Sri. Lokesh S/o Maregowda, Aged about 51 years, (Accused No.4)  Petitioner No.1 and 2 R/at Shivanegowdanadoddi Village, Uyyamballi Hobli, Kanakapura Taluk, Bangalore South District. <b>(By Sri. Mahalingaswamy, Advocate)</b>
<b>Vs</b>		

<b>Respondent :</b>	State by Range Forest Officer, Wild Life Range Mugguru, represented by its Public Prosecutor, Court Complex, Kanakapura. <b>(By the Public Prosecutor)</b>
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**Orders on Application filed U/s 482 of BNSS-2023.**

1. The petitioners who are arraigned as Accused No.2 and 4 have filed this petition U/s 482 of BNSS-2023, seeking anticipatory bail in WLOR No.04/2025 of Range Forest Officer, Wild Life Range Mugguru, for the offences punishable U/sec.9, 27, 29, 31, 39 r/w 2(16), 2(24A), 2(26), 2(35), 50, 51, 57 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 informant Ranjendra swamy, Range Forest Officer, Wild Life Range Mugguru, have registered the case in WLOR No.04/2025 against the petitioners for the offence punishable U/sec.9, 27, 29, 31, 39 r/w 2(16), 2(24A), 2(26), 2(35), 50, 51, 57 of Wild Life Protection Act-1972.

**b)** In the petition averred that, on 15.11.2025 the petitioners along with the other accused persons have hunted the wild boar at forest land in Sy.No.127 of I Gollahalli Village, comes within the preview of Muggur Wild Life Range of Cauvery Wild Life Santury and thereafter converted the Wild Boar into flesh by sickle near the vicinity of the Mulberry house of petitioner No.4 and thereafter the respondent forest authority conducted the ride and initiated the criminal proceedings against the petitioners and other accused persons under the provisions of Wild Life Protection Act-1972. Hence the complaint.

**c)** The petitioners pleads that, they are quite innocent and unconcerned to the alleged incident and petitioners have not at all committed any offences what so ever, the respondent deliberately implicated the name of the petitioners. At the instance of the ill-will of the inimical ill disposed people.

**d)** The petitioners are permanent resident address shown in the petition and coming from highly respectable family and never committed any offence as alleged by the prosecution. There is no any material to show the prima facie case against the petitioners.

**e)** Further petitioners also submits that the petitioners are ready to abide all conditions that may be imposed by this court. In the event of granting the anticipatory bail. Further also undertake that ready and willing to assist the investigation officer if so required and prays for grant of anticipatory bail.

**3.** The learned public prosecutor filed objection along with I.O. report dated 12.03.2026 to following effect:

**a)** The petition is not at all maintainable and grounds urged at the seeking anticipatory bail are not tenable.

**b)** The Learned Public Prosecutor reiterated the facts of the case found in the complaint and FIR.

c) It is also specific contentions of the learned public prosecutor that, there may be every chance of indulging similar illegal activities. In the event of granting anticipatory bail, there is every like hood of petitioners threatening and tampering the prosecution witnesses and every chance of flee from the investigation and clutches of the law and prays for the rejection of the 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.2 and 4 have made out reasonable grounds for grant of anticipatory bail?
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 anticipatory 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 15.11.2025 the petitioners along with the other accused persons have hunted the wild boar at forest land in Sy.No.127 of I Gollahalli Village, comes within the preview of Muggur Wild Life Range of Cauvery Wild Life Santury and thereafter converted the Wild Boar into flesh by sickle near the vicinity of the Mulberry house of petitioner No.4 and thereafter the respondent forest authority conducted the ride and initiated the criminal proceedings against the petitioners and other accused persons under the provisions of Wild Life Protection Act-1972. Upon informant provided by the informant the respondent Forest officer have registered the FIR against the petitioners in WLOR-04/2025 for the offence punishable U/sec.9, 27, 29, 31, 39 r/w 2(16), 2(24A), 2(26), 2(35), 50, 51, 57 of Wild Life Protection Act-1972. Under

these circumstances the petitioners under reasonable apprehension of arrest from the respondent police filed the present petition for grant of anticipatory bail in connection with aforesaid case.

**10.** During the course of arguments the counsel for the petitioners vehemently argued that, the complainant has filed the false and vexatious case against the petitioners. As such there is no any incident took place as alleged by the complainant in the complaint. Further the petitioners are the bread earner of their respective family and also law abiding citizen. The petitioners coming from the respectable family and having no antecedents of any indulging any criminal activities and further the petitioners are ready to abide any conditions that may be imposed by the court while granting the anticipatory bail. Under these circumstances the counsel for the petitioners prays for anticipatory bail to the petitioners by exercising exceptional circumstances as laid down under section 482 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 and the petitioners committed the illegal acts. The custodial presence is very much required for the purpose of investigation. The statement of the witnesses is to

be recorded and investigation is under progress by posing afore said reason prays for reject the bail application.

**12.** It appears from material available, on the information provided by the informant has led to the complainant against the petitioners. As held by the Hon'ble Supreme court in the case of **Arnesh Kumar Vs. State of Bihar & Others (AIR 2014 SC 2756)** where the offences are punishable with imprisonment for not more than 7 years and especially, when their custodial presence is not required for the purpose of investigation. Further the recovery of flesh and etc., in Mahazar has to be scrutinize by the full pledged trial.

**13.** From considering the material available on record there is a prima facie case made out by the petitioners to exercise the exceptional circumstances to grant the relief prayed in the application U/sec.482 of BNSS-2023. Further without expressing merits of the case at this stage considering the facts and circumstances of the case this court is incline to the grant the anticipatory bail to petitioners.

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

**15. 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.2 and 4 U/s.482 of BNSS-2023, is hereby allowed.

In the event of their arrest, the petitioners shall be released on bail in WLOR.04/2025 of Range Forest Officer, Wild Life Range Mugguru, with the following conditions;

1. The petitioners/accused No.2 and 4 to shall execute personal bond for Rs.50,000/- with one surety for like sum to the satisfaction of the court.
2. The petitioners/accused No.2 and 4 shall not threaten or tamper with the prosecution witness nor shall they abscond.
3. The petitioners/accused No.2 and 4 shall cooperate with the investigation.
4. The petitioners/accused No.2 and 4 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).**

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

6. The petitioners/accused No.2 and 4 shall mark their attendance before the Range Forest Officer, Wild Life Range Mugguru, on every alternative Sunday commencing from 29.03.2026 to 17.05.2026 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 computer by the Typist and print out taken by him, then corrected and pronounced by me in the Open court on this the 25<sup>th</sup> 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

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2. The petitioners/accused No.2 and 4 shall not threaten or tamper with the prosecution witness nor shall they abscond.
3. The petitioners/accused No.2 and 4 shall co-operate with the investigation.

4. The petitioners/accused No.2 and 4 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).**

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

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