

KASM600003642026



**IN THE COURT OF V ADDL. DISTRICT & SESSIONS
JUDGE, SHIVAMOGGA DISTRICT,
(SITTING AT SAGAR).**

Dated this the 07th day of July, 2026

PRESENT **Sri. Ravindra R. B.A.L., LL.M.**
VAddl. District & Sessions Judge,
Shivamogga District,(Sitting at Sagar).

Crl.Misc.No.10157/2026

PETITIONER: Shanmukhappa,
S/o Kannappa,
Aged about 42 years,
R/at Thekkuru Thavanandi,
Soraba Taluk,
Shivamogga District.

[represented by—
Sri.M.Jayappa Advocate]

-Vs-

RESPONDENT : State of Karnataka by
Police Sub Inspector,
Anavatti Police Station
Soraba Taluk,
Shivamogga District.

[represented by:
Public Prosecutor]

ORDER

This petition is filed by the petitioner under Section 482 of BNSS seeking a direction to respondent-Police to release him on bail in the event of his arrest in Crime No.122/2026 registered by the respondent-police for the offences punishable under Sections 3, and 25 of Indian Arms Act 1959.

2. Brief facts that led to this petition are under:

One Javad Bhasha Angadi, RFO of Anavatti Range, Anavatti, lodged first information before the respondent police that, the accused persons have killed the wild cat for meat by using fire arms. After inspecting the house of accused no.1, he found boiled meat of jungle cat in aluminum vessel, single barrel country gun, 12 lead balls and one leather bag in the house. Hence, a case in WLOR 7/2026 has been registered against the accused persons under Wild Life Protection Act. Since the accused persons have committed the offences under the arms act, he lodged the first information before the respondent police to take action against the accused persons under the arms act.

3. Based on the said information, the respondent-Police registered FIR against the accused. Now, the petitioner/accused, who is apprehending his arrest at the hands of respondent-Police, has filed this petition seeking pre-arrest bail on the following amongst other grounds:

The petitioner is innocent of the offences alleged against him and he has not at all committed any offences. He has been falsely implicated in this case. He hails from a respectable family and having good reputation in the society. He has no bad antecedents. He has undertaken to abide any terms and conditions that may be imposed by this court while granting bail. On these among other grounds, the petitioner has sought this Court to grant him pre-arrest bail.

4. The bail petition is opposed by learned Public Prosecutor by filing objections. It is contended that the petitioner has committed serious offences. There is a prima-facie case against him. Investigation is still in progress. At this stage, if the petitioner is released on bail, there are chances of he giving threat to witnesses, destroying evidence, abscond permanently and derail the investigation process. Hence, prayed to reject the petition.

5. Heard both the sides.
6. The following points arise for my determination:
 1. Whether the petitioner has made out sufficient grounds for grant of anticipatory bail?
 2. What order?
7. My findings to above points are:
 - Point No. 1: In Affirmative.
 - Point No. 2: As per final order for the following;

REASONS

8. **POINT NO.1**: The petitioner along with petition has produced a certified copy of FIR, copy of first information, seizure mahazar, P.F. and xerox copy of Aadhaar card.

9. The petitioner is accused of commission of offences punishable Sections 3 and 25 of Indian Arms Act 1959. As the alleged offences are non-bailable, apprehension of accused-petitioner of his arrest is well founded. As such, he can maintain this petition.

10. The learned counsel for petitioner urged that the petitioner has not committed any offences as alleged by the informant. He has been falsely implicated in the case. On the other hand, the learned P.P. submitted that there is a prima-facie case against the petitioner. If he is released on bail, there are chances of petitioner giving threat to witnesses, destroying evidence, abscond permanently and derail the investigation process.

11. The allegations made against the petitioner are that, he without having any license entered the forest area by holding country gun and killed the wild cat by using the said gun. It is the contention of the petitioner that, he has not committed any offences as alleged by the first informant. He has been falsely implicated in this case.

12. It is a specific contention of the petitioner that he has not committed any offences. He has been falsely implicated in the case. However, the allegations made against the petitioner have to be proved at full-fledged trial. He undertakes to abide by any terms and conditions. There are no allegations of accused-petitioner having criminal antecedents. In the facts and circumstances made

out, considering the gravity of the offences, I am of the opinion that the accused-petitioner is entitled for an order of pre-arrest bail. Apprehension of prosecution can be met by imposing stringent conditions and by obtaining sufficient surety to the satisfaction of the court. Hence, I hold that the petitioner is entitled for an order of anticipatory bail. Accordingly, point under consideration is answered in **Affirmative**.

13. **POINT NO.2:** In view of my discussions and finding to above point, I proceed to pass the following:

ORDER

Petition filed by petitioner under Section 482 of BNSS hereby allowed.

Consequently, in the event of arrest of petitioner in Cr.No.122/2026 of Anavatti Police Station for the offences punishable under Section 3 and 25 of Indian Arms Act 1959, he is ordered to be released on bail, on his executing personal bond for a sum of Rs.1,00,000/- and shall furnish one surety for like-sum to the satisfaction of the investigation officer on the following conditions:

1. The petitioner shall appear before the investigation officer on or before one month from the date of this order and in that event Investigation Officer to take bonds and to release him.
2. He shall appear before the investigation officer as and when called upon and co-operate with the investigation.
3. He shall not give threat to the prosecution witnesses in any manner.
4. He shall not indulge in similar offences in any manner.
5. He shall appear before the Court on all the dates of hearing unless prevented by any genuine cause and exempted by the Court.

(Typed to my dictation by stenographer directly on Computer, corrected by me and then pronounced in the open Court on this the 7th Day of July, 2026)

(Ravindra R.)

V Addl.District & Sessions Judge,
Shivamogga. (Sitting at Sagar).