

KATK010031222026



**IN THE COURT OF II ADDITIONAL DISTRICT AND
SESSIONS JUDGE, TUMAKURU**

Dated this the day of 10th June 2026.

PRESENT: Smt. N. Narasamma., B.A.L., LL.B.,
II Addl. District & Sessions Judge,
Tumakuru.

Crl. Mis.No.846/2026

Petitioner: Taslim Pasha @ Taslim
S/o Bhasha Saheb,
A/a 42 Years,
R/at No.17, 5th Main,
Haadi Masjid Road,
K.R. Puram, Bangalore.
(By Sri. PLS., Advocate).

- versus -

Respondent: State by Kunigal Police
(By learned Public Prosecutor)

ORDER ON BAIL PETITION U/S 483 OF BNSS ACT 2023

The petitioner has presented this petition U/s 483
of BNSS 2023 for grant of regular bail in Crime

No.154/2026 for the offences punishable under Sections 305 and 331 of the Bharathiya Nyaya Sanhita 2023.

2. In the bail petition, the petitioner has contended that, he is innocent and not committed any such offences as alleged in the complaint and the petitioner has been falsely implicated in this case and he is law abiding citizen and he undertakes to furnish surety to the satisfaction of this court. The complainant police have registered false FIR in order to take revenge against the petitioner on the basis of false complaint given by the complainant. The petitioner is in J.C. since from the date of his arrest. On all the above said grounds, prayed for allowing the petition U/Sec.483 of B.N.S.S. 2023.

3. On the other hand, the learned Public Prosecutor has filed objections to the bail petition along with the report. In the objection she has stated gist of the complaint averments and further contended that, I.O. took up the investigation recorded the

voluntary statement of accused and arrested the accused. At this stage if the petitioner is released on bail, there are chances of petitioner flee from justice and not co-operating with the investigation agency, there are chances of petitioner hampering and tampering the prosecution witnesses and cause hindrance in the investigation of the case. There are also chances of committing similar type of offence. Hence, prayed for dismissal of the bail petition filed by the petitioner.

4. This court has heard arguments on both sides and perused records carefully.

5. The points that arise for my consideration for the decision of this petition are as under:

1. Whether the accused/petitioner has made out valid grounds for grant of bail in u/s 483 of BNS-2023 by the respondent police?
2. What order?
6. My answer to above points is as under:

Point No.1: In the **Affirmative**

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

REASONS

7. **Point No.1:-** I have carefully gone through contents of bail petition, objections, complaint allegations, records and other reports.

8. On perusal of the complaint that on 24.04.2026 at 1.30 p.m. the complainant B. K. Lakshmana came to the police station and gave the complaint stating that he along with his wife are residing at Singonahalli village, Kottagere Hobli, Kunigal Taluk and on 23.04.2026 after finishing their work at home, at 1.30 p.m. the complainant's wife went to graze the buffaloes since they were not at home, the complainant's wife locked the house and kept the key near window of the house and locked the gate and kept the key near the gate lock. Later at 4,.00 p.m. when the complainant's wife came near the house along with complainant and

noticed that gate lock was removed and they went inside and noticed the house lock was broken and the door was also opened and they went inside the house and saw the cupboard was broken and 2 layer Mangalya chain of 40 grams, 20 grams chain 2 in number, 12 grams pearl ear rings, 6 grams ring, 8 grams stud drops, 12 grams maati, 6 grams of hangings, 8 grams ring, totally 132 grams of gold jewelry and half a k.g. of silver lamp poles, a quarter k.g. of chamni and quarter k.g. of plate, bowls of Arishina kumkuma i.e., totally 300 grams of silver articles were stolen by some thief. The complainant and his wife asked the neighbors but no one knew about the matter and the complainant informed to all his family members about the theft and the complainant do not know the exact value of the stolen items.

9. But the petitioner has denied the allegations made in the complaint. In the complaint the complainant has not mentioned the name of petitioner to believe that it is the petitioner who thefited the articles. And further

the petitioner has filed bail petition before jurisdictional court under Sec.480 of BNSS but the same was dismissed on 21.05.2026. So the present bail petition is filed by the petitioner. On perusal of the offences alleged against the petitioner, they are not punishable with death or imprisonment for life or triable by jurisdictional court of learned Senior Civil judge & JMFC., Kunigal. It is an admitted fact that the petitioner is in J.C. since from the date of arrest and there is no mention about the name of petitioner in the complaint and it is mentioned in the complaint as unknown persons have thefted the gold and silver articles from the complainant's house. If it is so, the petitioner should not be made as scape goat in this case. Moreover, the petitioner has under taken that he will abide by any of the conditions imposed by the court and he will furnish surety to the satisfaction of the court. Whether the petitioner has really thefted the gold and silver articles from the house of the complainant or not is the matter to be adjudicated at the time of full fledged trial. Hence by looking into the

facts and circumstances of the case and the undertaking given by the petitioner and also by considering that the bail petition filed by the petitioner was also dismissed by the learned trial judge on 21.05.2026, the court feels that the petitioner to be granted bail by imposing stringent conditions to meet the ends of justice. Accordingly, I answer the point No.1 in the **Affirmative**.

10. **Point No.2:** In view of my findings on point No.1, I proceed to pass the following:

O R D E R

Criminal Misc. petition filed by the petitioner under Section 483 of BNSS 2023 is hereby allowed.

The petitioner is ordered to be released on regular bail in Crime.No.154/2026 for the offences punishable under Sections 305 and 331 of the Bharathiya Nyaya Sanhita 2023 of the respondent police subject to execution of personal bond for a sum of Rs.1,00,000/- with one surety for the likesum on the following:

CONDITIONS

- 1.The petitioner shall not commit similar offences;
- 2.The petitioner shall not threaten or tamper with the prosecution witnesses;
3. The petitioner shall appear before this court on all the dates of hearing;

If any of the conditions violated by the petitioner the prosecution is at liberty to file application for cancellation of the bail at any stage.

(Dictated to the Stenographer directly on the computer, typed copy corrected and then pronounced by me in the open court on this the 10th day of June 2026).

(N. Narasamma)

II Addl. District & Sessions
Judge, Tumakuru.