

KATK010048162026



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

Dated this the 5th day of August 2026.

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

Crl. Mis.No.1147/2026

Petitioners:

1.Shubham Kumar
S/o Naveen Sahni,
A/a 19 Years,

2. Aman Kumar
S/o Ram Bilash Sahni
A/a 21 Years,
Both are R/at Hemamdemenahalli,
C.K.Palya Road, Gottegere,
Bengalore South.

(By Sri .MJD., Advocate).

- versus -

Respondent:

State by C.S.Pura Police .

(By learned Public Prosecutor).

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

The petitioners have presented this petition U/s 483 of BNSS 2023 for grant of regular bail in Crime No.75/2026 for the offences punishable under Sections 310(4), 310(5) of the Bharathiya Nyaya Sanhita (B.N.S.) 2023.

2. In the bail petition, the petitioners have contended that, they are innocents and not committed any offences as alleged by the complaint and the alleged offences are not publishable with death or life imprisonment and are triable by the court of Magistrate and the petitioners hail from respectable family and having deep root in the society and they undertake to furnish surety to the satisfaction of this court and they will abide by any conditions imposed by the court. And he is in judicial custody since from the date of 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 petitioners are released on bail, there are chances of petitioners flee from justice and not co-operating with the investigation agency, there are chances of petitioners 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 petitioners.

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/petitioners have made out valid grounds for grant of bail 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 report.

8. As per the case of the prosecution that on 05.06.2026 at 10.45 p.m. the PSI of C.S.Pura police station gave a report through P.C.866 Siddaraju and in the said report CPI Gubbi has given the report in various cases regarding chain snatching and other theft cases and in that regard the complainant and other officials were appointed for investigation to trace out the

accused persons and in that regard they were on special duty and on 05.07.2026 at 10.20 p.m. at Hinduskere-K.G.temple road towards the said place they were on patrol duty, they received the information that, at Gubbi-C.S.Pura road, near Kadaba gate, 5 persons with 2 scooter standing by wearing monkey caps and planning to commit robbery by holding dangerous weapons in their hands in the said place. Accordingly, the complainant along with P.C.545 went to the spot and parked the vehicle little far away from the place where those persons were standing and found that those persons were holding chilly power, rope, knife and wearing monkey cap and were planning to threaten the passers on the road and to commit robbery of golden articles and cash from them. The complainant prepared report and handed over to the police constable to handover the same to the station house officer. Accordingly, the SHO received the report and registered the case against the petitioners and others.

9. But the petitioners have denied the allegations made in the report submitted by PSI of C.S.Pura police station. The learned public prosecutor argued before the court that after arrest the investigating officer has recovered materials from the petitioners. So the petitioners should not be granted bail. But whether really the petitioners along with others have committed the alleged offences or not is the matter to be adjudicated at the time of trial. Because, this case has been registered only on the basis of credible information received by the complainant and the prosecution is yet to prove the case against the petitioners at the time of full fledged trial. Admittedly the petitioners are aged about 19 years and 21 years and they are in J.C. since from the date of custody and if they are continued to be in J.C. till commencement and conclusion of trial, then their future will be spoiled in J.C. along with other hard core criminals. Moreover, the petitioners have under taken to abide by any conditions imposed by this court and ready to offer substantial

surety to the satisfaction of this court. Hence by looking into the facts and circumstances of the case and gravity of offences and the undertaking given by the petitioners, the court feels it proper to exercise discretionary power and to grant bail to the petitioners in the interest of justice and equity. Hence the petitioners have made out grounds to allow the bail petition. 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 petitioners under Section 483 of BNSS 2023 is hereby allowed.

The petitioners are ordered to be released on regular bail in Crime No.75/2026 for the offences punishable under Sections 310(4), 310(5) of BNS of the respondent police subject to execution of personal bond for a sum of Rs.1,00,000/- each with one surety for the likesum on the following:

CONDITIONS

- 1.The petitioners shall not commit similar offences;
- 2.The petitioners shall not threaten or tamper with the prosecution witnesses;
3. The petitioners shall appear before the court as and when required;

If any of the conditions violated by the petitioners 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 5th day of August 2026).

(N. Narasamma)

II Addl. District & Sessions
Judge, Tumakuru.