

KATK010029772026



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

Dated this the 1<sup>st</sup> day of June 2026

**Present :Smt. N.Narasamma., B.A.L., LLB.,**  
II Addl. District and Sessions Judge,  
Tumakuru.

**Crl.Mis.No.803 of 2026**

**Petitioner:**

Abbas khan @ Arbaz  
S/o Akram Khan,  
A/a 21 years,  
R/at 3<sup>rd</sup> Cross,  
Maralurdinne,  
Tumakuru City.  
(By Sri. KRV., Advocate)

**- versus -**

**Respondent:** State by Jayanagara Police.

(By learned Public Prosecutor).

**ORDER ON PETITION FILED U/SEC.482 of BNSS**

The petitioner is seeking bail in anticipation of  
arrest U/sec.482 of BNSS in Cr.No.107/2024 for the

offences punishable u/sec.109, 189(1), 189(4), 189(5), 190 of BNS registered by the respondent police.

2. The petitioner in the petition stated that, he is innocent and law abiding citizen and he hails from respectable family and having deep root in the society and he has not committed any offences as alleged by the prosecution and the complainant has filed false and frivolous complaint against the petitioner. The petitioner undertakes to furnish surety to the satisfaction of this court and he will abide by any conditions imposed by the court and the police may at any time arrest the petitioner and there is an apprehension of arrest by the police. The petitioner is a permanent resident of Tumakuru. If the petitioner is arrested, his reputation will be spoiled. The alleged offences are neither punishable with death nor imprisonment for life. On these grounds the petitioner prayed to allow the petition.

3. The learned public prosecutor filed objections by contending that, the bail petition is not maintainable

either in law or on facts and if the petitioner is granted bail, then there are chances of petitioner threatening the prosecution witnesses and there is every possibility of petitioner tampering with the prosecution case, jumping the bail, destroy the evidence and try to commit similar offences. There are no reasonable grounds made out to enlarge him on bail. Hence the learned public prosecutor prayed to reject the bail petition.

4. Heard the learned public prosecutor and the learned counsel for the petitioner. Perused the records available.

5. The points that arise for my consideration are :

1. Whether the petitioner is entitled for bail U/sec.482 of BNSS.?

2. What order?

6. My findings to the above points are as follows:

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

Point No.2:- As per final order

for the following:

### **REASONS**

7. **Point No.1:-** As per the case of the prosecution that on 02.07.2024 at about 9.00 p.m. the complainant appeared before the respondent and filed written complaint stating that on that day with intend to drop the complainant's cousin namely Umar at 14<sup>th</sup> Cross, Maralure Dinne, the complainant was proceeding in a two wheeler and while he was going near Ismail nagara, the petitioner and others were standing beside the road and they called the complainant, so the complainant reached near them at that time the said persons demanded the complainant's cousin for money to have drinks, but the complainant's cousin namely Umar refused to give money to them. The accused No.1 assaulted Umar. The complainant questioned the same, at that time the petitioner brought one iron rod from welding garage and assaulted the complainant with intend to take away his life and other 3 persons were holded him and the complainant fell down due to heavy

bleeding and they thrown iron rod at spot and fled away from the spot.

8. But the petitioner has denied the allegation made against him by the complainant in the complaint. In this case the petitioner has already filed bail application u/s 483 of BNS in Crl. Mis. No.1090/2024 before the VI Addl. District & Sessions Judge and the same was allowed on 23.07.2024 on conditions. In the meantime the respondent police filed the charge-sheet against the petitioner and it was numbered as S.C.No.173/2025 and it appears that the petitioner was arrested in another case in Crime No.184/2024 and he was in judicial custody so, he could not appear before the court in S.C.No.173/2025 and he was split up from the said case and split up charge-sheet was filed. The petitioner submitted that non-appearance of petitioner in S.C.No.173/2025 is not intentional since he was in judicial custody in the above said Crime No.184/2024. Admittedly the alleged offences are neither punishable with death nor imprisonment for life and whether the

petitioner has committed the alleged offences or not is the matter to be adjudicated at the time of full fledged trial. And the investigating officer has filed the charge-sheet. The petitioner has given under taking to abide by any conditions imposed by this court and he is ready to offer substantial surety to the satisfaction of this court. Hence by looking into the facts and circumstances of the case and the undertaking given by the petitioner, the court feels it proper to exercise discretionary power and to grant bail to the petitioner in the interest of justice and equity. Hence the petitioner has made out the grounds to allow the bail petition. Hence, I answer point No.1 in the **Affirmative.**

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

**ORDER**

The petition filed by the petitioner under Section 482 of BNSS is hereby allowed.

The petitioner shall be released on anticipatory bail in the event of his arrest by the

respondent police in Cr.No.107/2024 for the offences punishable u/sec.109, 189(1), 189(4), 189(5), 190 of BNS on his executing personal bond for Rs.1,00,000/- with one surety for the like sum to the satisfaction of the respondent police, with 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 in case, the petitioner violate any of the conditions as stated above, the prosecution is at liberty to file application for seeking cancellation of bail.

(Dictated to the stenographer directly on computer, typed copy corrected and then pronounced by me in the open Court on this the 1<sup>st</sup> day of June 2026 ).

**( N.Narasamma )**

II Addl., District and Sessions  
Judge, Tumakuru.