



**IN THE COURT OF THE PRINCIPAL DISTRICT AND
SESSIONS JUDGE, U.K.-KARWAR**

Present:

Sri. PARAMESHWARA PRASANNA.B., *B.A. LL.B.*
Prl. District & Sessions Judge,
Karwar-U.K

Dated this the 11th day of March, 2026

Crl. Misc. No.100/2026

Petitioner : Satyavinayaka Babu Harikantra,
Age: 46 years, Occ: Fisherman,
R/o: Harikantrawada, Baithkol,
Karwar – 581 302.

(By Sri. Maruti B. Naik Adv.)

// Vs. //

Respondent : The PSI,
Karwar Town Police Station, Karwar
Represented by Public Prosecutor,
U.K. Karwar.

(By Public Prosecutor,
Prl. District & Sessions Court, Karwar)

ORDER

The present Bail Petition is filed by the Petitioner under Section 482 of BNSS for an Order of Anticipatory Bail in the event of his arrest in C.C.No.62/2026 (Crime No.93/2025 of

Karwar Town P.S.) on the file of Prl. Civil Judge & CJM, Karwar.

2. In the Bail Petition it is contended that the Petitioner is innocent and he has not committed the alleged offences. The Petitioner is having good reputation and strong roots in the society. The Petitioner is the permanent resident of above address mentioned in cause title of the petition. The investigation is already completed and the Respondent Police have already filed the charge sheet and as such the custodial interrogation of the Petitioner is not required. The alleged offences are not punishable with extreme penalty of death or imprisonment for life. The Petitioner is ready to abide by any conditions that may be imposed by the Court and he is ready to give proper surety. He will not hamper the trial or tamper the prosecution witnesses. The Respondent Police are making hectic attempt to arrest the Petitioner and hence the Petitioner by apprehending his imminent arrest by the Respondent Police, has filed this petition for anticipatory bail. Inter-alia, on these grounds, the Petitioner prays for allowing of the Bail Petition.

3. Whereas the learned Public Prosecutor in her objection by reiterating the averments made in the charge sheet has contended that, the charge sheet has been already filed by the I.O against the Petitioner for the offences punishable under Sections 32 & 34 of Karnataka Excise Act. If the Petitioner is granted anticipatory bail he will not attend before the Court during trial. If the Petitioner granted on anticipatory bail, he may commit similar kind of offences or he may threaten or influence the prosecution witnesses and the possibility of the petitioner absconding himself by violating the bail conditions cannot be ruled out. Inter-alia with these contentions learned PP prays for rejecting of the bail application.

4. Heard both sides. Perused the record.

5. On the basis of material on record, the following Points arise for my determination:

1. Whether the Petitioner has made out sufficient or reasonable grounds to enlarge him on anticipatory bail under Section 482 of Cr.P.C.?

2. What Order?

6. My findings on the above Points are as follows:

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

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

R E A S O N S

7. **Point No.1**: he sum and substance of the charge sheet is that, on 04-11-2025 at about 07-55 p.m, near public place, Baithkol Port, Karwar, the Accused without having any permit or licence found in illegal possession of Goa liquor bottles worth Rs.2,700/-, which were brought by him from Goa to Karwar with the intention to sell the same to the public for higher price and thereby according to the prosecution, the Accused has committed the offences punishable under Sections 32 & 34 of the Karnataka Excise Act 1965.

8. The offences in respect of which the Petitioner seeks anticipatory bail are not exclusively punishable with death or imprisonment for life. In the case on hand, liquor is already said to have been recovered and respondent has already filed charge-sheet. As such the custodial interrogation of the Petitioner is not required.

9. It is presumed that Accused is innocent until the guilt is proved beyond all reasonable doubts in full fledged trial

by the prosecution. Until then it is not proper to put the Accused in jail as a measurement of pre-trial punishment.

10. It is settled position of law by the Catena of decision of Hon'ble Apex Court and various High Court that the bail is the rule and jail is an exception and securing the presence of accused for trial and protection of witnesses from tampering are main consideration at the stage of granting bail.

11. The Petitioner claims to be the permanent resident of his address shown in the cause title of the bail petition. It is urged that the Petitioner is ready and willing to furnish surety to the satisfaction of this Court to ensure his attendance before the I.O and the Court and he is also ready to abide by any conditions imposed by Court. As such, possibility of the abscondance of Petitioner is too remote.

12. The apprehension and interest of the prosecution that the Petitioner may tamper with the prosecution witnesses or he may abscond can be taken care and safeguarded by imposing some suitable conditions. Hence by considering all these aspects, I am of the opinion that the Petitioner is entitled

for bail and accordingly, I answer the above Point No.1 in the **Affirmative.**

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

ORDER

The anticipatory Bail Petition filed by the Petitioner under Section 482 of BNSS is hereby **allowed.**

The Respondent is hereby directed to release the Petitioner on anticipatory bail in the event of his arrest in Crime No.93/2025 of Karwar Town P.S., now pending on the file of Prl. Civil Judge & CJM, Karwar, in C.C. No. 62/2026 on execution of his personal bond for Rs.1,00,000/- with a surety for the like sum subject to the following conditions.

1. The Petitioner shall appear before the concerned Court within 25 days from the date of this order and he shall execute personal bond for Rs.1,00,000/- with one surety for the like sum to the satisfaction of the concerned Court.
2. The Petitioner shall not tamper with the prosecution evidence or influence the prosecution witnesses directly or indirectly in any manner.

3. The Petitioner and his surety shall produce the authenticated documents of their address proof before the concerned Court.
4. The Petitioner after executing of personal bond and surety bond, shall regularly appear before the concerned Court on all hearing dates except on unavoidable circumstances.

(Dictated to the Stenographer on computer, typed by him, corrected, signed and pronounced by me in the open Court on this the 11th day of March, 2026).

(PARAMESHWARA PRASANNA.B.)

Prl. District & Sessions Judge,
Karwar (U.K).