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Crl Misc 50/2026

**IN THE COURT OF THE PRL DISTRICT AND SESSIONS  
JUDGE, YADGIRI**

Dated this the **7<sup>th</sup> day of March, 2026**

**PRESENT**

**Sri.Marulasiddaradhya H.J.**

B.A, LL.B.,LL.M

Prl. District and Sessions Judge,  
Yadgir.

**Crl Misc No. 50/2026**

**Petitioner/Accused 4:**

Mohammed Riyaz  
S/o Mohammed Yusaf Gogiyavar,  
Age: 35 years, Occ: Private work,  
R/o: Tank sale Onni Shahapur,  
Tq: Shahapur, Dist: Yadgiri.

(By Sri.H.M.P., Advocate)

**Vs.**

**Respondent:**

1. The state through Bhimarayanagudi P.S,
2. Laxmi W/o Mapanna Badiger,  
Age: 38 years, Occ: Household,  
R/o: Madriki village, Tq: Shahapur, Dist: Yadgiri.

(By Public Prosecutor, Yadgiri for R-1)

(By Sri S.S.K Advocate for R-2)

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**ORDER**

This petition is filed by the petitioner/accused No.4  
under Section 483 of the Bharatiya Nagarik Suraksha



Sanhita-2023 (in short 'BNSS-2023'), seeking regular bail in Crime No.31/2025 (Spl.C 89/2025), registered by the respondent No.1-police, for the offences punishable under Sections 189(2), 191(2), 191(3), 103(1), 61(2), 238 R/w Section 190 of BNS and Sec.3(2)(v) of SC/ST (P.A) Act, 1989.

**2)** The petitioner has presented this petition with various grounds.

**3)** The learned public prosecutor after service of notice filed objections with C.D to the petition by praying to reject the same as groundless.

**4)** After service of notice on respondent No.2 appeared through Sri SSK Advocate by filing memo adopt the objection of learned Public Prosecutor.

**5)** Heard both sides and perused ground of the petition, objections and documents on record.

**6)** The following points arise for my determination:

**1)** Whether the petition U/Sec.483 of BNSS is deserves to be allowed?

**2)** What order?



7) My findings on the above points are as follows:

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

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

### **REASONS**

8) **POINT No.1:-** The contents of FIR reveals that, the complainant's husband by name Mapanna had two wives and herself is the second wife. They have five children and he was doing social work. The accused were jealous with Mapanna and developed enmity. They attempt to kill him, but he managed to escape. Consequently on 16.03.2025 at about 6.45 a.m., when the complainant and her children were in the house the deceased Mapanna by informing them about leaving home for hair cutting in salon on his motorcycle. Subsequently, the complainant called him to bring tender coconut, he told he is with Alisab return early. At about 8.20 a.m., complainant heard that her husband was murdered and immediately she rushed to the spot near Sadyapur tank and found his dead body in pandi of blood . When she inquired about the reason the death told her that when Mapanna was going on his motorcycle the



accused came in car and followed him and near the tank they killed him with dangerous weapons and inquiry she found that about he talk an antrocity case was booked against one Goudappagouda Patil and other to which the deceased was root cause hence, he was killed by the accused.

**9)** The petitioner as accused No.4 being detained in custody filed this petition on the grounds that he is innocent and falsely implicated by the complainant. Complainant herself is the hearsay witness and lodged a fasle complaint without any basis. This petitioner has been implicated based on confession statement of other accused. CW.15 and CW.16 are projected as eye witnesses without their presence at the spot. The accused No.2 and 5 are enlarged on bail by the Hon'ble High Court of Karnataka and accused No.3 has been released on bail this court. This petitioner is the permanent residence with movable and immovable properties. He is ready to abide by any conditions imposed by this court.

**10)** After service of notice respondent No.2 appeared



and prays to reject the bail petition and to adopt the objection filed by the learned public prosecutor.

**11)** The learned public prosecutor in his objection to the petition contended that the accused along with others committed serious offences against the victim and this petitioner played vital role in causing his death. The allegations are serious in nature and the petitioner has not made out any exceptional grounds and he prays to reject the bail petition.

**12)** On perusal of the grounds of the application, objections and documents on record it reveal that CW.15 & CW.16 are the eye witnesses to the incident and they also given their statements before the learned Magistrate about the incident in support of the prosecution case. The allegations are serious in nature against this petitioner as accused No.4. This petitioner is the real assilent and killed the deceased Mapanna after receiving the supari amount from accused No.2. He was directly hired by accused No.1 to 3 to cause the death of Mapanna. He played vital role by using dangerous weapons like knife, machate, talawar to kill



the deceased Mapanna. The incident has been witnessed by the person present at the spot. This petitioner conspired to other accused to cause his death at the spot. This petitioner being played vital role in causing the death of Mapanna. The rule of parity about releasing the other accused No.2, 3 & 5 is not applicable to the case of this accused No.4.

**13)** Hence, having no grounds made out by the accused No.4, I ma of the opinion that accused No.4 is not entitle for bail subject to any reasonable conditions to satisfy the objections of learned pubic prosecutor. Hence, I answer Point No.1 in the **Negative**.

**14) POINT NO.2:-** In view of my findings on point No.1, I proceed to pass the following:

**ORDER**

The petition filed by the petitioner/accused No.4 under Section 483 of BNSS., is hereby rejected.

(Dictated to the Stenographer Grade-III transcribed, corrected it, taken out print, signed and then pronounced by me in the open Court on **7<sup>th</sup> day of March, 2026**)

**(Marulasiddaradhya H.J.)**  
Prl. District and Sessions Judge,  
Yadgir.