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Crl.Misc. 92/2026

**IN THE COURT OF THE PRL DISTRICT AND SESSIONS
JUDGE, YADGIR.**

Dated this the **13th day of March, 2026**

PRESENT

Sri.Marulasiddaradhya H.J.

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

Prl. District and Sessions Judge,
Yadgir.

CRIMINAL MISCELLANEOUS No. 92/2026

Petitioner:

Trivesh
S/o Narayan Kalal,
Age: 34 years, Occ: Agriculture,
R/o: Chandariki village,
Tq: Gurumitkal, Dist: Yadgiri.

(By Sri P.S.Malipatil., Advocate)

Vs.

Respondents:

1. The State through Gurumitkal PS.
2. Laxman
S/o Tarachand Rathod,
R/o: Ullesugur Tanda,
Tq: Wadagera, Dist: Yadgiri.

(By Public Prosecutor, Yadgir for R-1)

(By Sri.N.M.G., Advocate for R-2)

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**ORDER**

This petition is filed by the petitioner/accused under Section 482 of the Bharatiya Nagarik Suraksha Sanhita 2023 (in short 'BNSS-2023'), seeking anticipatory bail apprehending his arrest in Cr.No.29/2026 registered by the respondent No.1/Police, for the offences punishable under Sections 109(1), 115(2), 137(2), 309(4), 351(3), 352 R/w Sec. 190 of BNS and Sec.3(1)(r)(s), 3(2)(v-a) of SC/ST (P.A) Act, 1989.

2) The petitioner has presented his petition with various grounds.

3) The learned Public Prosecutor after service of notice appeared in this case and filed detailed objection with C.D. by praying to reject the bail petition having no grounds made out by the petitioners.

4) After service of notice, respondent No.2 appeared through Sri.N.M.G., Advocate filed objection by praying to reject the bail petition.

5) Heard both sides. Perused the grounds of the petition, objection and documents on record.



6) The following points arise for my determination:

1) Whether the petition U/sec.482 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 **Affirmative.**

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

REASONS

8) **POINT No.1:-** The contents of FIR reveal that on 10.02.2020 complaint is lodged before Gurumitkal police station with the allegation that on 07.02.2026 as usually he was sleeping in side the sheep shed in the night at about 12.30 a.m., he got up and found himself not keeping well due to fever and returned home. On the morning i.e., 08.02.2026 at about 6.00 a.m., he has seen four sheep found missing and searched for them here and there which are worth Rs.28,000/-. Accordingly, knowing about the theft committed by someone lodged complaint and registered as Crime No.21/2026. Subsequently, on 22.02.2026 another



complaint is lodged before same Gurumitkal police station with the allegation that in connection with the said incident of missing sheep when the complainant along with another victim and three persons went to forest area in the evening on 21.22.2026 for hunting wild pigs in the mid night at about 12.30 a.m., at three person came in a car and asking about their whereabouts abused them in filthy language and told them and he is the driver of PSI and threaten them to life. They snatched their motorcycle key and by saying that they came to their village to steal sheep started assaulting them with clubs and by tying pillar continued to assault them with bleeding injuries. They made them to transfer Rs.10,000/- through phonepe. After knowing about the incident the jurisdictional police visited the spot and rescued the victims. Both of them have been shifted to hospital and took treatment. Accordingly, Crime No.29/2026 has been registered for the aforesaid offences.

9) The petitioners being apprehending of their arrest by jurisdictional police filed this petition on the grounds that he is innocent and law abiding citizen. The



complainant and his friends are themselves the professional thief and have stolen 15 sheep from their village. They were chased and got hold by the petitioner. The jurisdictional police without registering the case against the complainant and victim this false case is registered against this petitioner. He went to the spot to caught the complainant the victim and not to commit any offences. The alleged offences are not punishable with life imprisonment or death sentence. He has depending family members and has not criminal antecedents. He is ready to abide any conditions imposed by the Court.

10) After service of notice, the respondent No.2 appeared through Sri.NMG., Advocate and filed objection to the petition by praying to reject the same has no grounds. The accused committed serious offences and are not entitled for bail.

11) The learned public prosecutor on the other hand also contended that the accused has committed the offence against the victim belongs to SC/ST community without any basis due to pending investigation he prays to



reject the bail petition. Further he contended that in case of his release he may jumped the bail and cause threat to victim and destroy the prosecution evidence. They may also remain absconding and cause delay for early conclusion of trial. Hence, he prays to reject the bail petition.

12) On perusal of the grounds of the petition, objections and documents on record it clearly reveal that initially complaint has been lodged before Gurumitkal police station with Crime No.21/2026 in connection with stolen of sheep belongs to the accused. Subsequently, another Crime No.29/2026 is registered when this petitioner caught the victims and assaulted them with misunderstanding that he may be the actual theaf when he stolen their sheep.

13) It is clear from the facts that there is no enmity between the petitioner and the victim. Both of them are not known to each other. Their appearance no continued threat to the life of complainant or victim at the hands of this petitioner. Even the prosecution has not alleged any criminal antecedents to this petitioner.



14) There is no necessity to continue detention of the petitioner in custody for any purpose. Hence, by considering facts and circumstances of this case, nature and extent of punishment and absence of criminal antecedents, I am of the opinion that the accused/petitioner is entitled to bail subject to reasonable conditions. Hence, I answer Point No.1 in the **Affirmative.**

15) 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 under Section 482 of BNSS., is hereby allowed.

The petitioner/accused is ordered to be released on bail on executing personal bonds for Rs.50,000/- with one surety for all for the like-sum in the event of his arrest by the respondent No.1/Police in Cr.No.29/2026 subject to the following conditions;

- 1.** The petitioner/accused shall surrender before the jurisdictional I.O. or the court within 15 days from the date of this order and comply the conditions.



2. The petitioner/accused shall cooperate with IO for the purpose of investigation.
3. The petitioner/accused shall not abscond or tamper with prosecution evidence.
4. The petitioner/accused shall appear before the court on every date of hearing unless expressly exempted by order of the court.

(Dictated to the Stenographer Grade-III transcribed, corrected it, taken out print, signed and then pronounced by me in the open Court on the **13th day of March, 2026**).

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