

KAYG010010702026



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Crl.Misc.No.261/2026

**IN THE COURT OF THE 1ST ADDL DISTRICT AND SESSIONS
JUDGE, YADGIR**

Dated this the **29th day of May, 2026**

PRESENT

Sri.Marulasiddaradhy H.J.

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

I/c I Addl. District and Sessions Judge,
Yadgir.

CRIMINAL MISCELLANEOUS No.261/2026

Petitioners/Accused No.1 to 4:

- 1) Mohan S/o Hemla Rathod
Age: 36 years, Occ: Agriculture & Business,
R/o Haba Nayak Tanda, Belagera
Tq: Chittapur Dist. Kalaburagi
- 2) Bhoju S/o Shivakumar
Age: 35 years, Occ: Agriculture
Bhoju Nayak Tanda, Nalwar
Tq: Chittapur Dist.Kalaburagi
- 3) Lakhan S/o Ganpat
Age: 22 years, Occ: Agriculture
R/o Shiva Nagar Tanda
Yagapur, Tq: Chittapur, Dist. Kalaburagi
- 4) Shantibai W/o Mohan Rathod
Age: 33 years, Occ: House hold
R/o Haba Nayak Tanda, Tq: Chittapur, Dist. Kalaburagi

(By Sri.ASP, Advocate)

Vs.



Respondent:

The State through Yadgiri Town PS, Yadgiri

(By Public Prosecutor, Yadgir)

* * * * *

ORDER

This petition is filed by the petitioners/Accused No.1 to 4 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita-2023 (in short 'BNSS-2023'), seeking anticipatory bail apprehending their arrest in Cr.No.82/2026 of Yadgiri Town Police Station, for the offences punishable under Sections 74, 115 (2), 118(1), 351(2), 352, R/w Sec 190 of the Bharatiya Nyaya Sanhita-2023 (in short 'BNS-2023').

2) The petitioners have presented their 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) Heard both sides. Perused ground of the petition, objections and documents on record.



5) The following points arise for my determination:

1) Whether the petition U/Sec.482 of BNSS is deserves to be allowed?

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;

REASONS

7) POINT No.1:- The case of the prosecution in brief as per the contents of FIR is that, on 07.05.2026 complaint is registered before Yadgiri Town PS with a allegation that, on 03.05.2026 at about 1.30 pm, when the complainant and his wife came to Yadgiri, they were informed that the accused has disconnected electricity supply of their motor pump and when they enquired him, he started quarreling with them and abused them in filthy language and assaulted the complainant with stone over his head and teeth and when his wife intervened to pacify the quarrel, he continued to assault the complainant and abused him in filthy language by threatening to life. The accused have also assaulted her by slapping over her cheek and by holding her



neck. They have outraged her modesty in public. Both of them took treatment in Government hospital at Yadgiri as inpatient and after discussing with family members, complaint is registered as Cr No.82/2026 of the aforesaid offences.

8) The accused being apprehended of their arrest have filed this petition on the grounds that, they have not committed any offences and they are falsely implicated in this case. The allegations are not punishable either with life imprisonment or death sentence. The said offences are triable by judicial Magistrate of First Class. They being the permanent residents cannot flee from justice. They have depending family members with own occupation. They are ready to abide by any conditions imposed by this court.

9) The learned public prosecutor in his objections contended that, the petitioners have committed serious offences and investigation is in initial stage. In case of releasing the petitioners on bail, they may destroy the prosecution evidence, threaten the victim and prosecution witnesses and may remain absconding. Hence, prays to reject the bail petition.



10) On perusal of the grounds of petition, objections and documents on record, it is clear that, the accused / petitioners have committed the offences punishable with imprisonment up to five years and they are triable by Judicial Magistrate of First Class. They have permanent residence without any criminal antecedents.

11) Further, it is to be noted that all the petitioners are permanent residents with their depending family members. There is no criminal antecedents to any of the petitioners. The allegations are not punishable either with life imprisonment or death sentence.

12) Hence, by considering the facts and circumstances of this case, dependency, nature and extent of punishment, absence of criminal antecedents, reasonable apprehension of arrest, I am of the opinion that the accused/petitioners are entitled for bail subject to reasonable conditions to the satisfy objections of learned public prosecutor. Hence, I answer this 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 petition filed by the petitioners/accused No.1 to 4 under Section 482 of BNSS., is hereby allowed.

The petitioners/accused No.1 to 4 are ordered to be released on bail on executing personal bonds for Rs.2,00,000/- with one surety for all for the like-sum in the event of their arrest by the respondent police in Cr.No.82/2026, subject to the following conditions;

- 1.** The petitioners 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 petitioners shall co-operate with IO for the purpose of investigation.
- 3.** The petitioners shall not abscond or tamper with prosecution evidence.
- 4.** The petitioners 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 **29th day of May, 2026**)

(Marulasiddaradhya H.J.)
I/c I Addl. District and Sessions Judge,
Yadgir.

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