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Crl.Misc.No.293/2026

Presented on : 04-06-2026

Registered on : 05-06-2026

Decided on : 10-06-2026

Duration : 6 days

**IN THE COURT OF THE I ADDL. DISTRICT &
SESSIONS JUDGE, YADGIR**

Dated: This the 10th day of June, 2026

:Present:

Sri. A. EARANNA, M.Com., L.L.M.,
I Addl. Dist. & Sessions Judge, Yadgir

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Petitioner:

Tayamma W/o Husenappa, Age:43 Years,
Occ:Household, R/o Sanna Sambra
(Vankasambra) Tq.Gurmitkal, Dist. Yadgiri.

(By Sri.B.R.Halgera, Advocate)

Vs.

Respondent:

The State Excise Sub Division Shahapur P.S.
Range Yadgiri.

(By Public Prosecutor)



ORDER

The petition is filed by the petitioner under Section 482 of BNSS for an order of anticipatory bail.

2) On the strength of complaint the Excise Sub Division Shahapur P.S. Range Yadgiri Excise Sub Division Shahapur P.S. Range Yadgiri have registered the case in Crime No.49/2025-26/074075231IE/2559644 for the offences punishable under Sections 13, 14, 15, 32(1), 38(A), 43 of KE Act.

3) In the bail petition it is contended that she was falsely implicated in the case. She was innocent of the alleged offences. Alleged offences are non-bailable in nature but not punishable with death or imprisonment for life. Alleged offences are triable by the JMFC Court. She is respectable person in the village. She is having movable and immovable properties within the jurisdiction of the court. She is ready to furnish the surety to the



satisfaction the court and she is ready to abide by the conditions if any imposed by the court. On these grounds, the petitioner prays to allow the bail petition.

4) The learned Public Prosecutor filed the detailed objection contending that present bail petition is not maintainable, same is liable to be dismissed. Case is under investigation. Petitioner has kept adulterated illicit arrack for selling to the public. If the petitioner is granted with anticipatory bail, the petitioner may threaten the prosecution witnesses and he may destroy the prosecution evidence or he may commit the similar kind of offences and the possibility of petitioner fleeing away from justice cannot be ruled out. Inter alia, on these grounds, prays to dismiss the bail petition.

5) Heard both sides. Perused the record.

6) Following points arise for consideration of this Court:

1. Whether the petitioner is made out grounds to enlarge him on anticipatory bail under Section 482 of BNSS.?
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:

R E A S O N S

8) **Point No.1:-**The counsel for the petitioner argued that petitioner has not at all committed any offences as alleged by the respondent police. She was law abiding citizen. She is having landed property in the village. She is ready to abide by the conditions and cooperate with the investigation officer. Therefore, he prays to allow the bail petition.

9) The learned Public Prosecutor argued that case is under investigation. If the petitioner is released on bail she may hamper and tamper the prosecution witnesses and commit similar kind of offences cannot be ruled out. Petitioner without having any license she has kept the 4 litre of illicit liquor same was seized by the complainant and lodged the complaint along with other



grounds he prays to dismiss the bail petition filed by the petitioner.

10) On perusal of the prosecution case, complainant received direction from Excise Deputy Commissioner on 25.5.2026 as per the direction he was patrolling then he came Sannasambra village while patrolling complainant received information one Tayamma has kept illicit arrack in her house. After getting the credible information complainant his staff and panchas went to the said house at about 5.30 p.m., they reached and went inside the house in the house none were present. In one plastic white colour having 4 litres of illicit arrack were found. After confirming the same complainant searched here and there no one was present in the said house. He got one Aadhaar card in the said Aadhaar card it has mentioned Tayamma W/o Husenappa. Out of 4 litres 500 ml arrack was taken for chemical examination conducted panchanama and seized aforesaid liquor and lodged the complaint.



Based on the complaint registered the case in aforesaid crime. At this stage, petitioner has filed the bail petition seeking release on bail.

11) On going through the prosecution case, after getting the credible information complainant his staff and panchas went to the said place at 5.30 p.m., in the said house no one were present. Even though he searched here and there no one were present and enquiry nearby the persons resided near the said house. No one has informed about the name of the petitioner. After getting the Aadhaar card complainant himself came to know said house belongs to petitioner. As per the averments of the complaint seized aforesaid liquor and conducted panchanama. In the present case partial investigation is completed. Petitioner is aged about 43 years. She is having husband and children and she is doing coolie work. Petitioner is ready to abide by the conditions imposed by the court. Alleged offences are non bailable in nature but not punishable



with death or imprisonment for life and triable by the court of JMFC. Until unless full pledged trial no person can remanded to J.C. Here in this case, petitioner is a lady. The respondent police are arrested and remanded to JC then her reputation in the society as well as in the community become loose. Apart from this case, no case has been registered against the petitioner. Petitioner is not habitual offender. Respondent police have not sought for custodial interrogation of the petitioner. By considering the entire facts of the case, as well as reasons stated in the bail petition I am of the opinion that petitioner is entitled for bail. Accordingly, I answer the above Point No.1 in the **Affirmative.**

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

O R D E R

The bail petition filed by the petitioner U/sec.482 of BNSS, is hereby



allowed.

The respondent police are hereby directed to enlarge the petitioner on anticipatory bail in the event of her arrest in Crime No.49/2025-26/074075231IE/2559644 of respondent Police for the aforesaid offences on execution of personal bond for Rs.50,000/- with one surety for the like sum on the following conditions:

1. The petitioner shall join investigation and co-operate with I.O for investigation.
2. The petitioner shall not tamper with the prosecution evidence or influence the prosecution witnesses directly or indirectly in any manner.
3. The petitioner shall not indulge with offence of like nature.
4. In case, if the petitioner violate any of the above mentioned conditions, the prosecution is at liberty to move



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an application in such cases for

cancellation of bail.

(Dictated to the Stenographer Grade II directly on computer typed by him, corrected, signed and then pronounced by me in Open Court on this the 10th day of June, 2026).

I Addl. Dist. & Sessions Judge,
Yadgir.

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Yadgir.