



**IN THE COURT OF II<sup>nd</sup> ADDL.DISTRICT AND  
SESSIONS JUDGE, YADGIR,  
SITTING AT SHORAPUR.  
:PRESENT:**

**Sri. Yamanappa Bammanagi, B.A.LL.B (Spl.)  
II nd Addl. District & Sessions Judge, Yadgir,  
sitting at Shorapur.**

**DATED THIS THE 09<sup>th</sup> DAY OF MARCH, 2026.**

**CRL.MISC. 5031/2026**

**Petitioner:** Amrappa S/o Bikkappa Jhadav,  
Age: 58 years, Occ: Teacher,  
R/o Kirdhali Tanda, Tq:  
Shorapur, Dist: Yadgiri.

**(By Sri.BHK. Adv.,)**

**V/s**

**Respondent:** The State through Kembhavi  
P.S. Tq: Shorapur, Dist: Yadgiri.

**(By Sir. Public Prosecutor)**

**ORDER ON BAIL PETITION FILED U/SEC.483  
OF BNSS.**

The petitioner/accused No.1 has filed this petition for his release on bail in Crime.No.17/2026 of Kembhavi PS,



registered for the offence P/U/Sec.118(2), 109(1), 351(2), 352 R/w 3(5) of BNS, against the accused No.1 to 3 as per FIR, the present petitioner/accused No.1 as filed this petition for his release.

**2. Brief facts of prosecution case, are as follows:-**

On 07.02.2026 the complainant lodged the complaint stating that, accused is his father, and his mother died 20 years back, after death of his mother accused married with one Sharadha, accused had five children from first wife I.e, Complainant, Jitendar, Shashikal, Shivaleela, Sangeeta and accused had only son from second wife by name Chetan and his sisters are already married due to some dispute the complainant and his brother Jitendar are residing separately from accused, the complainants brother Jitendar' s wife left his company for the last 7 to 8 years, on account of which said Jitendar demanded his share in the properties at that time accused refused to



give his share, due to which there was ill will between complainant, injured and accused, such being the facts on 06.02.2026 at 8.15pm when complainant is in his house at Kiradahalli Tanda at that time he came to know from his friend Suresh that complainant's elder brother Jitendar gone to the house of accused and asked for meals and demanded for his share at that time accused persons assaulted with stick on head of Jitendar, accused persons have assaulted with stick and hands and caused head injury on Jitendar and took him hospital, on account of which he lodged the complaint and there after he was taken to District hospital. On basis of said complaint the respondent registered the crime for the offences and the present accused arrested by the respondent and produced before the court and thereafter court has remanded the accused NO.1 to JC, hence the petitioner has filed this petition on following grounds.



**GROUND**

*A. The petitioner is nothing to do with alleged offences as they are falsely involved in the crime, looking to the facts and circumstances the offence U/sec 118 (2) and 109(1) of BNS is not attracted, the accused petitioner is Govt. servant so question of jumping of bail condition does not arise.*

*B. The petitioner is 58 years old, and he is only earning member in his entire family, alleged offences are not punishable with death or life imprisonment, there is no prima-facie case against present petitioner, the petitioner/ accused NO.1 is in JC from 08.02.2026, he undertakes that he will not tamper prosecution witness.*

*C. The petitioner is ready and willing to abide by any conditions which may be imposed by this court.*



**3.** Ld. PP has filed objection stating the facts of prosecution case as already extracted supra, further Ld PP would contended in the objection that, the petitioner has committed heinous offence against innocent woman, if accused is released on bail there is every chance of repeating the same crime, and there is no genuine grounds, accused used deadly weapons and caused grievous injuries, if accused is released on the bail there is every chances of tampering prosecution witness and destroying material object and there is every chance of absconding of accused, and the accused committing same offence, with this the Ld PP prayed for rejection of bail petition.

**4.** Heard on both sides. Along with petition, the petitioner has produced certified copy of FIR and complaint and remand sheet.

**5.** I have perused the contents of petition, grounds stated in the petition, objection filed by learned PP and also considered the arguments canvassed by the learned counsel for the parties and perused the same. On perusal of the



same the points that would arise for determination are as follows;

**POINT NO.1:** Whether the petition filed under section 483 of BNSS Act, is deserves to be allowed at this stage ?

**POINT NO.2:** What order ?

6. My findings to the above points are as follows;

**Point No.1 :** in the Affirmative.

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

**REASONS**

7. **POINT NO.1:** it is well settled law that the court cannot go into the merits and demerits of the case while deciding the bail petition. What court has to looked into in deciding bail petition is that, the nature and seriousness of the case, severity of the offence, chance of condescence of the accused during trial, tampering of prosecution witnesses and possibility of repetition of same



crime and gravity of the accusation and antecedents of the accused.

**8.** I have perused and scrutinized the facts stated in the complaint and I have perused material placed before the court, complainant himself has stated that there is a dispute between accused and injured, accused is non other than the father of complainant and injured, the accused is serving as Govt. teacher and he married with accused No.2 and gave a birth to accused No.3 from second wife, thus there was a dispute between father and sons from first wife in respect of their share, so on perusal of the material placed before this court, I am of the opinion that there is no prima-facie case against accused except the dispute in connection with share of sons of first wife and sons of second wife, at this stage, there is no antecedents against accused, without touching the merits and demerits of case I am of the opinion that accused is been Govt. teacher there is no chance of absconding and at this stage accused is entitled for bail. Hence I answer point No.1 in Affirmative.



9. **POINT NO: 2:** In view of the finding on

Point No.1, I proceed to pass the following;

**ORDER**

The petition filed U/Sec.483 of BNSS Act, by the petitioner is hereby allowed.

Consequentially, the petitioner/accused No.1 is ordered to be released on bail, in Crime.No.17/2026 of Kembhavi PS, registered for the offence P/U/Sec.118(2), 109(1), 351(2), 352 R/w 3(5) of BNS, on his executing a personal bond for sum of Rs.1,00,000/- with one surety for the like sum to the satisfaction of the court, subject to the following Condition;

1. Petitioner/accused No.1 shall appear before the court on every date of hearing till disposal of the case.

KAYG320001122026



9

CrI.Misc.5031/2026

2. Petitioner/accused No.1 shall not tamper and threat to the prosecution witness in any manner.

(Dictated to the Stenographer-III directly on computer, transcript computerized by her, corrected, initialed and then pronounced by me in the open court, on this the 09<sup>th</sup> day of March - 2026)

**(Yamanappa Bammanagi)**  
**(II nd Addl. District and Sessions Judge**  
**Yadgir, Sitting at Shorapur)**