



**IN THE COURT OF II nd ADDL.DISTRICT AND  
SESSIONS COURT, 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.NO.5034/2026**

- Petitioners:1.**      Prasad Ansuri S/o A.Shreeramchandra  
Age: 45 years, Occ: Agriculture  
R/o Kannelli camp, Tq: Shorapur,  
Dist: Yadgiri.
2.                      T.C.Kondayya @ D.Shrinivas S/o  
Nukarao, Age: 54 years,  
Occ: Agriculture, R/o Kanneli Camp  
Tq: Shorapur, Dist: Yadgiri.
3.                      Trimurti S/o Ramulu  
Age: 53 years, Occ: Agriculture  
R/o Kannelli Camp Tq: Shorapur,  
Dist:Yadgiri.
4.                      Prem Kumar S/o G. Paramjyothi  
Age: 30 years, Occ: Agriculture  
R/o Karadkal Camp, Tq: Shorapur,  
Dist: Yadgiri.

**(By Sri.MSM Adv..)**

**V/s**



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3                      Crl.Misc.No.5034/2026

Suresh for sale, the accused persons have approached the father of complainant and other farmers for purchasing of paddy, accordingly they sold the paddy on 30.11.2025 to the accused persons and it is further alleged that an amount of Rs.2 lakhs is credited to the account No.7132500102364301 and Rs. 1 lakh is credited to the account No.3932500100375701 of Mallanna in Karnatak bank branch Kembhavi and accused persons have to pay remaining amount of Rs.5,69,959/- and he has narrated the details of the farmers with number of paddy bags sold to the accused persons showing amount and dates in the complaint, further contended in the complaint that the accused persons have purchased paddy bags from 29.11.2025 to 20.12.2025, they purchased 10,603 paddy bags from 34 farmers including complainant for amount of Rs.1,73,96,140/- and they loaded paddy bags in vehicle by paying Rs.39,50,300/-, by way of account pay to farmers and in cash and remaining amount of Rs.1,34,45,850/- is not paid and accused persons have



committed cheating against complainant and other farmers hence he lodged the complaint against accused persons including present petitioners, being apprehended of arrest the present petitioners have filed this petition on the following grounds.

**GROUND**S

**A.** *The petitioners/accused persons have nothing to do with the alleged offences, and they have falsely implicated on the false complaint lodged by the complainant.*

**B.** *The petitioners are innocent, law abiding citizens, belongs to good family no antecedents, there is no chance of absconding and tampering of prosecution witness. There is no material before the court to connect the present petitioners with alleged offences, no documents produced by the complainant to connect these petitioners with alleged offences, the father of complainant and any other farmers not paid any amount to the petitioners.*

**C.** *There was a delay in lodged the complaint, no proper explanation offered in the complaint, the offences or not punishable*



*with death or imprisonment of life and alleged offences trial able by JMFC court.*

**D.** *The petitioner permanent residing of address shown in cause title and they are having movable and immovable properties within the limits of this court.*

**E.** *The petitioners are 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 accused persons have committed a breach of trust and have committed cheating against innocent farmers, they believed on the accused persons and sold the paddy bags to the petitioners, but after purchasing the paddy bags the petitioners failed to pay the amount agreed and as such, the petitioners have not only committed cheating against complainant they have also committed such offence against 34 innocent farmers, there is prima-facie records to show the transaction between the accused



persons and the complainant and other farmers, there is no genuine grounds to grant bail to the petitioners and they will not co-operate with IO and investigation with hamper, and with this the Ld PP prayed for rejection of bail petition.

**4.**     Heard on both sides. Along with petition, the petitioners have produced document, photo copy of FIR with complaint.

**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 482 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, (i) the nature and gravity of the accusation; (ii) the antecedents of the applicant including the fact as to whether he has previously undergone imprisonment on conviction by a court in respect of any cognizable offence; (iii) the possibility of the applicant to flee from justice.

8.    On careful scrutiny of facts stated in the complaint, material placed before the court, and document produced with petition, there is no prime-facie case against the petitioners, there is no single piece of document to show that accused persons have paid part payment for purchasing paddy bags from the farmers, there is no



specific allegations of any kind to connect these petitioners with alleged offences, the complainant has made vague allegation against accused persons in respect of 34 farmers, there is no specification for having purchase the paddy bags from particular farmer, no receipt or any document produced to connect these petitioners with alleged offences, that apart, looking to the facts stated in the complaint it is pure civil case in nature, the alleged offences are not punishable with death or imprisonment for life, at this stage, without touching merits and demerits of the case, I am of the opinion that petitioners/ accused No.2 to 5 are entitle for the bail. Hence I answer this point in the **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.482 of BNSS Act, by the petitioners/accused No.2 to 5 is hereby allowed. Consequentially, the petitioners/accused No.2 to 5 is ordered to be released on bail in the event of their arrest, in Crime.No.23/2026 of Kembhavi PS,*



*registered for the offence P/U/Sec.316(2), 318(2), 318(4) of BNS, against accused No.2 to 5, on their executing a personal bond for sum of Rs.50,000/- each with one surety for the like sum to the satisfaction of the IO, subject to the following Condition;*

- 1. Petitioners/accused No.2 to 5 shall appear before the IO within 15 days from the date of order and execute the personal bond for sum of Rs.50,000/- each with one surety for the like sum to the satisfaction of the IO.*
- 2. Petitioners/accused No.2 to 5 shall not tamper and threat to the prosecution witness in any manner.*
- 3. The Petitioners/accused No. 2 to 5 shall not involve in commission of same crime.*
- 4. The Petitioners/accused No. 2 to 5 shall co-operate with IO in investigation and appear before him whenever IO called upon to do so, till filing of charge sheet.*

(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)**