



IN THE HIGH COURT OF KARNATAKA, AT DHARWAD
DATED THIS THE 25TH DAY OF MARCH, 2026
BEFORE
THE HON'BLE MR. JUSTICE HANCHATE SANJEEVKUMAR
CRIMINAL PETITION NO.100393 OF 2026
(438 OF Cr.PC/482 OF BNSS)

BETWEEN:

MUTTAPPA HANAMANTH NAYAK,
AGE: 50 YEARS, OCC: COOLIE,
R/O. BHANTANUR, TQ. MUDHOL,
DIST. BAGALKOT-587204.

...PETITIONER

(BY SRI RAKESH S. HATTIKATAGI, ADVOCATE)

AND:

THE STATE OF KARNATAKA,
BY LOKAPUR POLICE STATION,
REP. BY STATE PUBLIC PROSECUTOR,
HIGH COURT OF KARNATAKA,
DHARWAD BENCH-580001.

...RESPONDENT

(BY SRI ABHISHEK MALIPATIL, HCGP)

THIS CRIMINAL PETITION IS FILED U/S.438 OF CR.P.C. (U/S.482 OF BNSS, 2023) PRAYING TO ALLOW THE PETITION AND GRANT ANTICIPATORY BAIL TO THE PETITIONER (ACCUSED NO.1), DIRECTING THE RESPONDENT POLICE TO RELEASE HIM ON BAIL IN THE EVENT OF HIS ARREST IN LOKAPUR P.S. CR. NO.140/2025 FOR THE OFFENCES PUNISHABLE UNDER SECTIONS 189(2), 191(2), 191(3), 126(2), 109, 352, 351(2) R/W. 190 OF BHARATIYA NYAYA SANHITA, 2023, IN THE INTEREST OF JUSTICE AND EQUITY.

THIS PETITION COMING ON FOR ORDERS, THIS DAY ORDER WAS MADE THEREIN AS UNDER:



CORAM: THE HON'BLE MR. JUSTICE HANCHATE SANJEEVKUMAR

ORAL ORDER

Heard the learned counsel for the petitioner, the learned HCGP for the respondent-State.

2. This petition is filed by the petitioner/accused No.1 under Section 438 of Cr.P.C, read with Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking anticipatory bail and praying for the following relief:

"WHEREFORE, the petitioner most respectfully prays that,

This Hon'ble Court be pleased to allow the petition and grant anticipatory bail to the petitioner (Accused No.1) directing the Respondent police to release him on bail in the event of his arrest in Lokapur P.S.Cr.No.140/2025 for the offences punishable under Sections 189(2), 191(2), 191(3), 126(2), 109, 352, 351(2) r/w 190 of Bharatiya Nyaya Sanhita, 2023, in the interest of justice and equity.



3. The brief case of the prosecution is that the petitioner, under the mistaken impression that the complainant had instigated the other sisters to file a suit for partition, assaulted the complainant with sticks, an axe, and other weapons. Based on these allegations, an FIR has been registered against the accused persons for the aforesaid offences.

4. The learned counsel for the petitioner has filed a memo stating that the accused herein has also filed a complaint against the present complainant and his sister, which has been registered as Crime No.141/2025. It is therefore submitted that the present matter constitutes a case and counter-case, registered as Crime Nos.140/2025 and 141/2025. In Crime No.141/2025, the accused has been released on anticipatory bail, and the complainant herein is the accused in that case. Therefore, without expressing any opinion on the merits of the case, this Court is of the opinion that the petitioner is granted benefit of anticipatory bail.



5. Accordingly, the following:

ORDER

- i. The petition is ***allowed***.
- ii. The petitioner/accused No.1 is enlarged on bail in the event of his arrest in Lokapur P.S.Cr.No.140/2025 for the offences punishable under Sections 189(2), 191(2), 191(3), 126(2) 109, 352, 351(2) r/w 190 of Bharatiya Nyaya Sanhita, 2023, subject to the following conditions:
 - a. The petitioner shall appear before the trial Court and shall seek for bail within ten days from the date of receipt of a copy of this order.
 - b. The petitioner execute a personal bond for a sum of Rs.1,00,000/- along with one surety for the like sum to the satisfaction of the Trial Court.
 - c. The petitioner shall not indulge in the same offence or any other criminal cases, till completion of the trial.



- d. The petitioner shall not leave the jurisdiction of the Trial Court without prior permission of the Court.
- e. The petitioner shall not tamper and threaten the prosecution witnesses in any manner.
- f. The petitioner shall mark her attendance before the concerned police station on every Saturday between 11.00 a.m. to 02.00 p.m.
- g. The petitioner shall attend the Court regularly during the trial without fail. If not attend for consecutive two times, it entails cancellation of bail.
- h. Violation of any one of the conditions would entitle the prosecution to seek for cancellation of bail.

**Sd/-
(HANCHATE SANJEEVKUMAR)
JUDGE**