



HC-KAR

NC: 2026:KHC-D:6515
CRL.P No. 100978 of 2026

IN THE HIGH COURT OF KARNATAKA, AT DHARWAD

DATED THIS THE 7TH DAY OF MAY, 2026

BEFORE

THE HON'BLE MR. JUSTICE HANCHATE SANJEEVKUMAR

CRIMINAL PETITION NO.100978 OF 2026

(438(Cr.PC)/482(BNSS))

BETWEEN:

SHRI. RAMACHANDRA S/O. SOMANNA NAYAK,
AGED ABOUT 43 YEARS, OCC. AGRICULTURIST,
R/O. NO.43, GAONKARKERI, BELEKERI,
TQ. ANKOLA, UTTARA KANNADA DISTRICT.

...PETITIONER

(BY SRI. SHIVRAJ S.BALLOLI, ADVOCATE)

AND:

STATE OF KARNATAKA,
THROUGH ANKOLA POLICE STATION,
UTTARA KANNADA DISTRICT,
REP. BY THE STATE PUBLIC PROSECUTOR,
HIGH COURT OF KARNATAKA, DHARWAD BENCH.

...RESPONDENT

(BY SMT. GIRIJA S.HIREMATH, HCGP)

THIS CRIMINAL PETITION IS FILED UNDER SECTION 438 OF CR.P.C. (UNDER SECTION 482 OF BNSS, 2023) PRAYING TO (A) PASS AN ORDER TO THE EFFECT THAT IN THE EVENT OF THE ARREST OF THE PETITIONER ABOVE-NAMED IN RELATION TO THE CRIME IN CRIME NO.64/2026 REGISTERED AT ANKOLA POLICE STATION, UTTARA KANNADA, ON THE FILE OF LEARNED PRINCIPAL CIVIL JUDGE (JR.DN.) AND JMFC COURT ANKOLA FOR THE OFFENCE MADE PENAL UNDER SECTIONS 109, 118(1), 126(2), 189(2), 109 AND 190 OF BNS, 2023, HE SHALL FORTHWITH BE RELEASED ON BAIL ON SUCH TERMS AND CONDITIONS AS THIS HON'BLE COURT MAY DEEM FIT AND PROPER IN THE ENDS OF JUSTICE; AND (B) PASS SUCH OTHER AND FURTHER ORDERS AS THIS HON'BLE COURT MAY DEEM FIT AND PROPER IN THE FACTS AND CIRCUMSTANCES OF THE CASE, IN THE INTERESTS OF JUSTICE.





THIS CRIMINAL 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 arguments of Sri. Shivaraj S. Ballolli appearing for the petitioner/accused No.21 and learned HCGP appearing for the respondent-State and perused the material made available before the Court.

2. The petition is filed by the petitioner/accused No.21 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (Section 438 of Cr.P.C.) praying to grant anticipatory bail with the following prayer:

"(a) PASS an order to the effect that in the event of the arrest of the Petitioner above-named in relation to the crime in Crime No.64/2026 registered at Ankola Police Station, Uttara Kannada on the file of the learned Principal Civil Judge (Jr.Dn.) & JMFC Court, Ankola, for offences made penal under Sections 109, 118(1), 126(2), 189(2), 109 and 190 of the Bharatiya Nyaya Sanhita, 2023, he shall forthwith be released on bail on such terms and condition as this Hon'ble court would deem fit and proper in the ends of justice of the;

(b) PASS such other and further orders as this Hon'ble Court may deem fit and proper in the facts



and circumstances of the case, in the interests of justice."

3. It is the brief case of the prosecution as revealed in the complaint and FIR that the victim injured is a State Secretary of Congress Party. It is stated in the complaint by the complainant that on 25.03.2026 at around 09.15 a.m. the first informant and the victim injured have gone to fish market in Ankola in Car bearing registration No.KA-01-MT-5895. After half an hour the victim injured went to a Saloon shop for shaving and the first informant was in the car. About 15 minutes later when the victim injured was coming out from the saloon, in front of the Axis Bank, two unknown persons had suddenly attacked the victim injured with weapons and assaulted on the head with an intention to kill the victim injured. Also in the process of stabbing the chest, the victim injured had escaped and fell on the ground. Again the said two unknown persons have stabbed the victim injured and at that moment, the victim injured ran away and escaped, but he was chased by the said two



persons and ran away to the house of one Srinivasa Nayak. Later the victim injured ran to the Ankola Syndicate Cooperative Society wherein the said Srinivasa Nayak was present and as soon as the victim injured ran into the Society, the shutters of the said Society was closed to protect the victim injured, but the victim injured has sustained injuries. Therefore, the first informant lodged the complaint by stating that the first informant had seen the said accused clearly and described the colour of clothes worn by the accused and also stated the physical feature of the said unknown persons. Also stated that that there was a Fiat Figo Car nearby, which was brought by the said two unknown persons and thereafter the victim injured had been to Hospital at Ankola and then took treatment and then went to the Manipal Hospital. Therefore, lodged the complaint against 6 - 7 unknown persons with the allegation that they have attempted to murder the victim injured and accordingly, upon receipt of the complaint, the police have registered crime as above stated.



4. Learned counsel for the petitioner submitted that the name of the petitioner/accused No.21 is not found in the complaint and FIR. It is contended that the petitioner has been arraigned as accused No.21 in the case solely on the basis of the confession statement made by the other co-accused. It is further submitted that accused No.18, who is facing similar allegations, was granted bail by this Court in Criminal Petition No.100751/2026 on 23.04.2026. Therefore, it is submitted that the petitioner/accused No.21 stands on the same footing as accused No.18, who has been granted anticipatory bail by this Court. Hence, on the ground of parity, the petitioner is also entitled to the benefit of anticipatory bail. It is further submitted that the petitioner/accused No.21 would abide by any conditions imposed by this Court and would cooperate with the investigation. Accordingly, learned counsel prays for grant of anticipatory bail.

5. Learned HCGP vehemently opposes the grant of bail to the petitioner and prays for rejection of the petition.



6. Upon considering the factors that the name of the petitioner/accused No.21 is not found in the complaint or in the FIR and that the only material presently relied upon by the prosecution against the petitioner is the confession statement made by the other co-accused, this Court is of the view that the petitioner has been arraigned as accused No.21 solely on that basis. At this stage, it is also relevant to note that accused No.18 was granted anticipatory bail by this Court in Criminal Petition No.100751/2026 dated 23.04.2026. Upon considering the materials available at this stage, the petitioner does not stand on a different footing from accused No.18, who was granted anticipatory bail in respect of similar allegations. Therefore, on the ground of parity also, the petitioner is entitled to the benefit of anticipatory bail subject to the condition that he shall cooperate with the investigation and abide by the conditions imposed by this Court. Accordingly, considering the above factors, this Court is inclined to grant anticipatory bail to the petitioner.

7. In the result, I proceed to pass the following:



ORDER

- (i) The petition is ***allowed***.
- (ii) The petitioner/accused No.21 is ordered to be enlarged on bail in the event of his arrest by the respondent/State Police in Crime No.64/2026 registered at Ankola Police Station, Uttara Kannada pending on the file of the learned Principal Civil Judge (Jr. Dn.) and JMFC, Ankola for the offences punishable under Sections 109, 118(1), 126(2), 189(2), 109 and 190 of Bharatiya Nyaya Sanhita, 2023, subject to the following conditions.
 - a) The petitioner/accused No.21 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/accused No.21 shall 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/accused No.21 shall furnish cash surety of Rs.1,00,000/- (Rupees One Lakh only) to the satisfaction of the Court.
- d) The petitioner/accused No.21 shall not tamper and threaten the prosecution witnesses in any manner.
- e) The petitioner/accused No.21 shall mark his attendance before the concerned police station once in three weeks between 11.00 a.m. to 02.00 p.m. till filing charge sheet.
- f) The petitioner/accused No.21 shall attend the Court regularly during the trial



without fail. If not attend for consecutive two times, it entails cancellation of bail.

g) The petitioner/accused No.21 shall not leave territory of India without prior permission of the jurisdictional Court.

(iii) Violation of any one of the conditions would entitle the prosecution to seek for cancellation of bail.

Sd/-
(HANCHATE SANJEEVKUMAR)
JUDGE

PMP
CT: UMD
List No.: 1 SI No.: 27