



**IN THE HIGH COURT OF KARNATAKA**

**KALABURAGI BENCH**

**DATED THIS THE 25<sup>TH</sup> DAY OF MARCH, 2026**

**BEFORE**

**THE HON'BLE MR. JUSTICE G BASAVARAJA**

**CRIMINAL PETITION NO.200442 OF 2026**

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

**BETWEEN:**

1. DATTU S/O DESMUKH  
AGED ABOUT 28 YEARS,  
OCC: LABOUR,  
R/O BHAGYANAGAR VILLAGE,  
TQ: BHALKI, DIST: BIDAR.
2. AKSHAYKUMAR S/O BANDEPPA,  
AGED ABOUT 28 YEARS,  
OCC: LABOUR,  
R/O KURUBKHEAGI VILLAGE  
TQ: BHALKI, DIST: BIDAR.

...PETITIONERS

(BY SRI SURAJ BHAVIKATTI, ADVOCATE FOR  
SRI DEEPAK VISHNU BARAD, ADVOCATE)

**AND:**

THE STATE OF KARNATAKA  
THROUGH KHATAK CHINCHOLI  
POLICE STATION, DIST: BIDAR-585401,  
NOW REPRESENTED BY  
ADDL. SPP, HIGH COURT OF KARNATAKA,  
KALABURAGI BENCH-585102.

...RESPONDENT

(BY SRI JAMADAR SHAHABUDDIN, HCGP)



THIS CRIMINAL PETITION IS FILED UNDER SECTION 482 OF BHARATIYA NAGARIK SURAKSHA SANHITA, 2023 (NEW) UNDER SECTION 438 OF CR.P.C., (OLD) PRAYING TO ALLOW THIS CRIMINAL PETITION AND ORDER FOR RELEASE THE PETITIONERS ON BAIL IN AN EVENT OF ARREST OF PETITIONERS IN CRIME NO.104/2017 BY THE KHATAKA CHINCHOLI POLICE, TQ: BHALKI, DIST: BIDAR IN THE COURT OF ADDL. DISTRICT AND SESSIONS JUDGE, BIDAR FOR THE OFFENCE PUNISHABLE U/S 398 OF IPC.

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

CORAM: HON'BLE MR. JUSTICE G BASAVARAJA

**ORAL ORDER**

Learned High Court Government Pleader is directed to notice for the respondent.

2. Heard learned counsel for the petitioners and learned High Court Government Pleader.

3. The petitioners, who are accused Nos.1 and 3 have filed this petition under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of anticipatory



bail in C.C. No.334/2018 arising out of Crime No.104/2017 registered by the Khataka Chincholi Police for the offence punishable under Section 393 of the Indian Penal Code (for short 'the IPC').

4. On the basis of the complaint filed by the ASI, Vishwanath, Khataka Chincholi police have registered the case in Crime No.104/2017 against accused 1 to 4 for the for the above said offence. After investigation, the Investigating Officer has submitted the chargesheet against accused 1 to 4 for the commission of offence under Section 398 of the IPC.

5. After filing the chargesheet, the case was registered in C.C.No.334/2018 on the file of the Civil Judge and JMFC Court, Bhalki. Since the accused/petitioners did not appear before the Court, the Trial Court has issued NBW.



6. It is submitted by the learned counsel for the petitioners that due to ill health, the petitioners could not appear before the Trial Court.

7. Considering the submission of the learned counsel for the petitioners, I proceed to pass the following:

**ORDER**

The Criminal Petition is allowed.

The respondent-Police are directed to release the petitioners in the event of their arrest in C.C.No.334/2018 (arising out of Crime No.104/2017 registered by the Khataka Chincholi Police) for the offence punishable under Section 398 of the Indian Penal Code, pending before Civil Judge and JMFC Court, Bhalki, subject to the following conditions:

- (i) The petitioners shall appear before the Trial Court on 26.03.2026 and shall execute a personal bond for a sum of Rs.1,00,000/-



(Rupees One Lakh only) each, with one surety each for the likesum to the satisfaction of the Trial Court.

- (ii) The petitioners shall appear before the Trial Court on all dates of hearing without fail.
- (iii) The petitioners shall not tamper or threaten the prosecution witnesses in any manner.

**Sd/-**  
**(G BASAVARAJA)**  
**JUDGE**

RSP  
List No.: 1 Sl No.: 21  
CT: BH