



IN THE HIGH COURT OF KARNATAKA

KALABURAGI BENCH

DATED THIS THE 21ST DAY OF APRIL, 2026

BEFORE

THE HON'BLE MR. JUSTICE G BASAVARAJA

CRIMINAL PETITION NO. 200466 OF 2026

(439(Cr.PC)/483(BNSS))

BETWEEN:

MANAPPA @ MOUNESH
S/O BHEEMANNA RUKMAPUR
AGE: 30 YEARS, OCC: AGRICULTURE
R/O MACHAGUNDAL VILLAGE
TQ: SHORAPUR, DIST: YADGIRI.

...PETITIONER

(BY SRI. AVINASH A UPLAONKAR, ADVOCATE)

AND:

THE STATE THROUGH
SHORAPUR POLICE STATION
DIST: YADGIRI, NOW REPRESENTED BY
ADDL. SPP, HIGH COURT OF KARNATAKA
AT KALABURAGI BENCH-585107

...RESPONDENT

(BY SRI.JAMADAR SHAHABUDDIN, HCGP)

THIS CRL.P IS FILED U/S. 439 OF CR.P.C (OLD), 483 OF BNSS (NEW), PRAYING TO ALLOW THE PETITION AND BE PLEASED TO RELEASE THE ACCUSED/PETITIONERS ON BAIL IN CRIME NO.39/2026 OF SHORAPUR POLICE STATION, DIST: YADGIRI, FOR THE OFFENCE PUNISHABLE U/SEC.103 AND 3(5) OF BHARATIYA NYAYA SANTHIA (BNS) 2023 PENDING BEFORE CIVIL JUDGE AND JMFC (JN.DN) COURT AT SHORAPUR, DIST: YADGIRI.





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

CORAM: HON'BLE MR. JUSTICE G BASAVARAJA

ORAL ORDER

This petition is filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, by the
petitioner/accused No.1 for grant of bail in Crime
No.39/2026, registered by Shorapur Police, for the
offences punishable under Sections 103 and 3(5) of
Bharatiya Nyaya Sanhita, 2023, presently pending on the
file of Civil Judge and JMFC (Jr.Dn.) Shorapur, Dist:
Yadgiri.

2. The factual matrix of the case is that, on the
basis of the complaint filed by Basayya Swamy, Shorapur
Police have registered the case in Crime No.39/2026
against the accused Nos.1 and 2 for the aforesaid
offences. During the course of investigation, the accused
was arrested on 09.02.2026 and produced before the
Court and remanded to judicial custody. The accused is
still in judicial custody. The petitioner filed bail petition in



Criminal Misc.No.5038/2026 before the II Addl. District and Sessions Judge, Yadgir, sitting at Shorapur, which was rejected by order dated 18.03.2026. Hence, the petitioner preferred this petition seeking for grant of regular bail.

3. Heard the learned counsel for the petitioner and the learned HCGP for respondent-State.

4. Learned counsel appearing on behalf of the petitioner has urged the following grounds:

- (a) That the petitioner is innocent of the alleged offences against him and he is falsely involved in the above case.
- (b) That, the petitioner is falsely involved by respondent and there are no other evidences to state that the appellant is involved in the above said offences, which is bad in law.
- (c) That, initially the case was registered in UDR No.03/2026 on 03.02.2026 and after conducting



the P MEC after a lapse of 05 days on the basis of confessional statement this present case is registered which is a weak piece of evidence.

- (d) That, there is a delay of 5 days in lodging the complaint after the death of the deceased and the reason for the same is not satisfactorily explained.
- (e) That, the entire case is based on the confessional statement of the Co-accused A2 which is in admissible.
- (f) That, on perusal of the complaint averment the allegation made against the petitioner is purely based only on the complainant's assumptions.
- (g) That, one circumstantial witness Malappa to state that he saw the petitioner in front of the parental house of accused no.2 with stick in his hand, which he saw in electrical burning light and it was night hence he became panic and he did not see any incident nor approached the petitioner.



- (h) That the complainant had lodged false complaint only to harass the petitioner, though they have not committed any offences as alleged in the complaint, which was lodged only by creating false story.
- (i) That even by reading the entire complaint no prima facie case cannot be made out against the petitioner's and the allegations made out in the crime is omnibus allegations.
- (j) That the accused petitioners are the only earning members of their respective families, if they are arrested and detained in the custody their entire family and they would be put into starvation and great hardship and thereby will lose image in the society.
- (k) That, the accused/petitioners are ready to co-operate with the I.O. during course of



investigation and ready to abide the conditions if any imposed.

- (l) That, petitioner is from respectable family member and if he was detained behind bars then entire career will be at stake and there is no criminal antecedent.
- (m) That, the petitioner is permanent resident of his locality appellant have immovable and movable properties within the jurisdiction of the Hon'ble court and having deep roots in the society. Hence he absconding from trial does not arise.
- (n) That the petitioner is ready to furnish surety to the satisfaction of the Hon'ble Court and ready to abide any of the reasonable conditions that may be imposed.
- (o) No other case has been filed or pending before this Hon'ble High Court or any other court seeking the relief sought in the petition.



5. On all these grounds, he prays to allow the bail petition.

6. *Per contra*, the learned HCGP for respondent – State opposed to the bail petition.

7. On plain reading of the contents of the complaint reveals that prior to the registration of the FIR, the case was registered in UDR No.03/2026 and after lapse of 5 days this complaint came to be filed. The entire case is based on circumstantial evidence. The accused is not required for custodial interrogation as he has already arrested and produced before the Court. Considering the delay in filing FIR, prior registration of UDR and non-requirement of the accused for custodial interrogation, without expressing any opinion on the merits of the case, it is just and proper to allow the petition with conditions. Accordingly, I proceed to pass the following;

ORDER

The petition is ***allowed***.



The petitioner/accused No.1 is directed to be enlarged on bail in No.39/2026, registered by Shorapur Police, for the offences punishable under Sections 103 and 3(5) of Bharatiya Nyaya Sanhita, 2023, subject to the following conditions:

- (a) Petitioner shall execute a personal bond for a sum of Rs.1,00,000/- with one surety for the likesum, to the satisfaction of the Civil Judge and JMFC (Jr.Dn.), Shorapur;
- (b) The petitioner shall not directly or indirectly threaten or tamper with the prosecution witnesses;
- (c) The petitioner shall not indulge in similar offences in future;
- (d) The petitioner shall assist the Investigating Office for further investigation.

Sd/-
(G BASAVARAJA)
JUDGE