

IN THE HIGH COURT OF KARNATAKA
CIRCUIT BENCH AT DHARWAD
DATED THIS THE 31ST DAY OF MARCH, 2011
BEFORE
THE HON'BLE MR. JUSTICE V. JAGANNATHAN
CRL.P.NO.10415/2011

Between:

1. Shri.Basappa Laxman Pujeri,
Age 20 years, Occ.: Agriculture,
R/o.Karavinakumpi Village,
Tq. & Dist.: Belgaum.
2. Shri.Kareppa Ramappa Guddeppagol,
Age 22 years, Occ.: Agriculture,
R/o.Karavinakumpi Village,
Tq. & Dist.: Belgaum.
3. Shri. Irappa Siddarayi Nayik,
Age 20 years, Occ.: Agriculture,
R/o.Karavinakumpi Village,
Tq. & Dist.: Belgaum.
4. Shri.Parashuram Satteppa Pujeri,
Age 23 years, Occ.: Agriculture,
R/o.Karavinakumpi Village,
Tq. & Dist.: Belgaum.

... Petitioners

(By Sri.Prakash B.Angadi, Advocate)

And:

The State of Karnataka,
Rep. by the SPP,
Through Marihal Police Station,

... Respondent

(By Sri.Anand Navalgimath , HCGP)

This criminal petition is filed u/S.439 of Cr.P.C. seeking to enlarge the petitioners on bail in Marihal P.S. Crime No.22/2011 on the file of the III-Addl. JMFC, Court, Belgaum for the offences p/u/s. 143, 147, 148, 353, 332, 307 r/w. 149 of IPC and Sec. 32 & 34 of Karnataka Excise Act.

This petition coming on for orders this day, the Court made the following:

ORDER

Heard the petitioners' counsel and the learned High Court Government Pleader for the respondent State in respect of the bail sought by the petitioner who along with other accused persons are accused of having committed offences punishable under Sections 143, 147, 148, 353, 332, 307 read with 149 of the IPC and Section 32 & 34 of the Karnataka Excise Act.

2. The prosecution case in short is that, the Excise Inspector along with others was proceeding in vehicle on Karvi Village on 17.02.2011 to conduct Excise raid and when they were proceeding to destroy the illicit liquor, about 30 to 35 persons attacked them with sticks, stones and rods and on account of the said incident some of the Excise staff were injured.



3. The Submission of the petitioners' counsel is that, except the offence under Section 307 of the IPC, rest of the offence alleged are bailable and in respect of the offence under Section 307 of the IPC, the injuries sustained are not serious and in fact no one is injured in the incident and therefore the bail be granted.

4. Submission of the learned High Court Government Pleader for the respondent State is that, the number of accused persons are involved in the alleged offence and therefore, petitioners be declined bail.

5. Having thus heard both sides, taking note of the nature of the offence alleged and submission being made that the name of the petitioners ~~are~~ not mentioned in the FIR, taking all these facts into account the petitioners can be released on bail by imposing conditions. Hence, I pass the following order:

ORDER

- i) Petitioners shall be released on bail on each of them executing a personal bond for Rs.25,000/- with two sureties for the like sum to the satisfaction of the trial court.



- ii) Petitioners shall not tamper with the evidence and shall not give threat to the prosecution witnesses in any manner.
- iii) Petitioners shall mark attendance before the jurisdictional police station on every Sunday between 10.00 a.m and 5.00 p.m.
- iv) Petitioners shall not involve themselves in like offences in future.
- v) Petitioners shall not leave their place without prior permission of the jurisdictional Magistrate.

Sd/-
JUDGE

Vnp*