

IN THE HIGH COURT OF KARNATAKA
CIRCUIT BENCH AT GULBARGA

DATED THIS THE 30TH DAY OF NOVEMBER, 2012

BEFORE

THE HON'BLE MR.JUSTICE MOHAN SHANTANAGOUDAR

CRIMINAL PETITION NO.16112/2012

BETWEEN :

Shantappa
S/o.Basetti Humnabad
Aged 30 years, Occ: Private Work
R/o.Hulgura, Chittapur Taluk
Gulbarga Dist. .. PETITIONER

(By Sri Raju S.Korahalli, Adv.,)

AND :

The State of Karnataka
Through Chowk Police Station
Gulbarga .. RESPONDENT

(By Sri Subhash Mallapur, HCGP)

This petition is filed under Section 439 of Cr.P.C. by the advocate for the petitioner praying that this Hon'ble Court to release the accused-petitioner on bail in Crime No.54/2012 of Chowk Police Gulbarga (SC.265/12 on the file of the IV Additional Sessions Judge at Gulbarga), in the interest of justice and equity, which is registered for the offence p/u/s.504, 302 of IPC.

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

O R D E R

Case of the prosecution in brief is that all the accused, including the petitioner herein assaulted the deceased Pandit Naroni with deadly weapons like talwar, chopper, etc. Petitioner is the first accused. Crime No.54/2012 is registered against all the accused, including the petitioner for the offence punishable under Section 302 r/w. Section 149 of IPC and for other offences. During the course of investigation, statements of eye witnesses viz., Appanna and Suresh and others are recorded. All of them have stated that the petitioner has assaulted the deceased with chopper on his check. Thereafter the petitioner allegedly assaulted on various part of the body.

2. Since serious allegations are made against the petitioner and there are statements of number of eye

witnesses against the petitioner, no leniency can be shown against him.

Hence, petition fails and accordingly, the same stands ***dismissed***.

**Sd/-
JUDGE**

*ck/-