

**IN THE HIGH COURT OF KARNATAKA
CIRCUIT BENCH AT GULBARGA**

DATED THIS THE 30TH DAY OF AUGUST, 2013

BEFORE

THE HON'BLE MR. JUSTICE B V PINTO

CRL.PETITION.NO.15687/2013

C/W

CRL.PETITION NO.15686/2013

IN CRL.P.NO.15687/2013

BETWEEN

IMRAN KHAN S/O ALAM KHAN
AGE: 24 YEARS, OCC: BUSINESS
R/O JALALWADI, GULBARGA

...PETITIONER

(BY SRI.USTAD SADAT HUSSAIN, ADVOCATE)

AND:

THE STATE THROUGH
GRAMEEN P.S.
GULBARGA

...RESPONDENT

(BY SRI.SANJAY A. PATIL, ADDL. SPP)

THIS CRL.P. IS FILED UNDER SECTION 438 OF CR.P.C BY THE ADVOCATE FOR THE PETITIONER PRAYING THAT THIS HON'BLE COURT TO RELEASE THE PETITIONER ON BAIL IN THE EVENT OF HIS ARREST IN CRIME NO.82/2012 OF WOMEN POLICE STATION GULBARGA, WHICH IS REGISTERED FOR THE OFFENCE

P/U/S 143, 147, 148, 504, 114, 324, 341, 326, 307, 109
R/W 149 OF IPC.

IN CRL.P NO.15686/2013

BETWEEN

KARIMLAL S/O ABDUL MAJEED
AGE: 34 YEARS, OCC: BUSINESS
R/O ISLAMABAD COLONY, GULBARGA

...PETITIONER

(BY SRI.USTAD SADAT HUSSAIN, ADVOCATE)

AND:

THE STATE THROUGH
GRAMEEN P.S.
GULEARGA

...RESPONDENT

(BY SRI.SANJAY A. PATIL, ADDL. SPP)

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PRAYING THAT THIS HON'BLE COURT TO RELEASE THE
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GULBARGA, WHICH IS REGISTERED FOR THE OFFENCE
P/U/S 143, 147, 148, 504, 114, 324, 341, 326, 307, 109
R/W 149 OF IPC.

THESE PETITIONS COMING ON FOR ORDERS, THIS
DAY, THE COURT MADE THE FOLLOWING:

ORDER

These petitions are filed seeking anticipatory bail in Crime No. 82/2012 of Gulbarga Rural Police Station registered on 14.03.2012 for the offences punishable under Sections 143, 147, 148, 504, 114, 324, 341, 326, 307, 109 r/w Section 149 of IPC.

2. It is the case of the complainant that on 14.03.2012 at about 8:30 p.m. the accused have committed the murder of one Harun who is cited as CW.2 in the chargesheet with lethal weapons.

3. Sri.Ustad Sadat Hussain, learned counsel for the petitioners submits that, the name of the petitioners are not found in FIR i.e, in the complaint and no overt acts are alleged against them. He also submits that, the chargesheet has been filed in respect of other accused and that all accused who are arrested have been released on bail. The petitioners are shown as accused in the split-up chargesheet and the case is committed to

the Court of Sessions. Hence, he submits that petitioners may be enlarged on bail in the event of their arrest.

4. Sri.Sanjay A. Patil, learned Addl. SPP on the other hand submits that the petitioners are required for the purpose of identification in the police station and also for recovery if any, based on the identification of the petitioners by the witnesses. Hence, the following order is passed;

ORDER

- i) In the event of the arrest of the petitioners in Crime No.82/2012 of Gulbarga Rural Police Station, they are directed to be released on bail on their executing personal bond for a sum of Rs.25,000/- each with one surety for the like sum to the satisfaction of the Arresting Officer.

- ii) The petitioners shall surrender before the police within 10 days from today.
- iii) The petitioners are required to be in police custody for a period of three days for the purpose of identification by the witnesses, recording of the statements, recovery of the weapons if any and in those days, they are required to be in the police station only between 8:00 a.m. and 6:00 p.m.
- iv) The petitioners shall file regular bail application before the learned Magistrate within fifteen days from the date of their release by the police station
- v) The learned Magistrate is directed to dispose of the said application in accordance with law without reference to the order passed herein.

**Sd/-
JUDGE**

Sdu