

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

DATED THIS THE 28TH DAY OF FEBRUARY, 2014

BEFORE

THE HON'BLE MR. JUSTICE B V PINTO

CRL. PETITION No.200232/2014

BETWEEN:

RAHUL S/O ASHOK HONNALLI
AGE: 22 YEARS, OCC: STUDENT
R/O RAJAPUR, GULBARGA
TQ. GULBARGA, DIST: GULBARGA

... PETITIONER

(BY SRI AVINASH A. UPLOANKAR, ADV.)

AND:

THE STATE THROUGH
M.B.NAGAR POLICE STATION
GULBARGA

... RESPONDENT

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

CRL.P FILED U/S. 439 OF CR.P.C PRAYING TO, RELEASE THE ACCUSED/PETITIONER ON BAIL IN CRIME NO: 17/2014 OF M.B. NAGAR POLICE STATION DIST. GULBARGA, WHICH IS REGISTERED FOR THE OFFENCES P/U/S. 143, 147, 148, 324, 307, R/W 149 AND 3(1)(x) OF SC & ST ACT (PREVENTION OF ATROCITIES ACT) 1989.

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

ORDER

This petition is filed seeking bail in Crime No.17/2014 of M.B.Nagar Police Station registered on 07.02.2014 for the offences punishable under Sections 143, 147, 148, 324, 307 r/w Section 149 of IPC and 3(1)(x) of SC and ST (Prevention of Atrocities) Act.

2. Sri Satish is the complainant. It is stated in the complaint that on 06.02.2014 at about 10:00 p.m. the complainant has gone to the eatery along with his friends. At about 10:45 p.m. he came out of the hotel after taking a pan and was taking out his motorcycle. At that time, these petitioners along with six others came and abused him in the name of his caste and thereafter tried to assault him. The complainant took the motorcycle and went to his house. At that time, the petitioner is alleged to have followed him and obstructed him from going further and pulled his T-shirt and

thereafter assaulted him with iron rod on the chest and threatened to kill him.

3. It is stated in the complaint that one of the accused assaulted on his back with a stone and others fisted him. He was felled down to the floor and assaulted on his back and chest. The incident has happened due to some political rivalry.

4. Sri Avinash Uploankar, learned counsel for the petitioner submits that the injured has been treated as out patient and that his life is out of danger.

5. Sri Sanjay A. Patil, learned Additional SPP submits that petitioner has attempted to commit murder, hence bail application may be rejected.

6. On consideration of the FIR materials, I am of the opinion that petitioner being in custody may be enlarged on bail. Accordingly, petition is allowed on the following terms:-

- i) That the petitioner is directed to be released on bail on his executing a bond in a sum Rs.25,000/- (Rupees Twenty Five Thousand Only) with one surety for the likesum to the satisfaction of the Special Court;
- ii) That the petitioner is directed to appear before the police station as and when required during investigation.

**Sd/-
JUDGE**

Sdu