

IN THE HIGH COURT OF KARNATAKA
DHARWAD BENCH

DATED THIS THE 31ST DAY OF JANUARY, 2015

BEFORE

THE HON'BLE MRS. JUSTICE RATHNAKALA

CRIMINAL PETITION NO. 100183/2015

BETWEEN:

RAHIMASAB
S/O. BUDDESAB HANCHINAL,
AGE : 65 YEARS, OCC:COOLIE,
R/O:HALLIKERI VILLAGE,
TQ: NAVALGUND,
DIST: DHARWAD.

... PETITIONER

(BY SRI : J S SHETTY ASSOCIATES, ADVOCATE)

AND :

STATE OF KARNATAKA,
BY ITS ANNIGERI POLICE STATION
AUTHORITIES, REPRESENTED BY
PUBLIC PROSECUTOR,
HIGH COURT OF KARNATAKA,
DHARWAD BENCH, DHARWAD.

... RESPONDENT

(BY SRI K.S. PATIL, HIGH COURT GOVERNMENT PLEADER)

THIS CRIMINAL PETITION IS FILED U/S 439 OF CR.P.C. SEEKING TO ENLARGE THE PETITIONER ON BAIL IN ANNIGERI P.S. CRIME NO.114/2014, FILED AGAINST THE PETITIONERS FOR THE OFFENCES P/U/S 143, 147, 148, 323, 324, 307, 302, 504, 506, 109 R/W 149 OF IPC.

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

O R D E R

The petitioner herein is arrayed as accused No.54 in Crime No.114/2014 of Annigeri Police Station, for the offences punishable under Sections 143, 147, 148, 323, 324, 307, 302, 109, 504 and 506 read with Section 149 of I.P.C.

2. It is submitted at the bar that similarly placed co-accused persons have been enlarged on bail in Crl.P. No.100130/2015 (d.d. 30.01.2015). The prosecution does not allege overt act against the petitioner herein. Though there is some material on record about the complicity of this petitioner in the alleged offence, in the absence of any specific material against him bringing forth overt act at the time of the alleged incident, there is no impediment to enlarge the petitioner on bail.

3. The petition is allowed. Petitioner is enlarged on bail in Crime No.114/2014 of Annigeri Police Station, subject to following conditions :

- (i) Petitioner shall execute a self bond of Rs.2,00,000/- with two solvent sureties for the likesum.
- (ii) He shall not tamper with the prosecution witnesses.
- (iii) He shall mark his attendance before the Annigeri Police Station on every Saturday between 11.00 a.m. to 5.00 p.m. for first two months and thereafter every alternate Saturday for the next four months.
- (iv) He shall not leave the jurisdiction of the Sessions Court till the conclusion of trial without prior permission of the Court.

Sd/-
JUDGE

hnm