



IN THE HIGH COURT OF KARNATAKA, DHARWAD BENCH

DATED THIS THE 28TH DAY OF DECEMBER, 2023

BEFORE

THE HON'BLE MR JUSTICE HEMANT CHANDANGOUDAR

CRIMINAL PETITION NO.103462 OF 2023

BETWEEN:

SRI. HANAMANTH S/O MAREPPA MADAR,
AGE. 21 YEARS, OCC. COOLIE,
R/O. HARIJAN KERI, BUDIGOPPA,
TQ. YARAGATTI, DIST. BELAGAVI.

... PETITIONER

(BY SRI. NEELENDRA D. GUNDE, ADVOCATE)

AND:

STATE OF KARNATAKA,
BY KITTUR P.S.,
R/BY THE STATE PUBLIC PROSECUTOR,
HIGH COURT BUILDING, DHARWAD-580001.

... RESPONDENT

(BY SRI. PRAVEENA Y. DEVAREDDIYAVARA, HCGP)

THIS CRIMINAL PETITION IS FILED U/SEC. 439 OF CR.P.C.
SEEKING TO GRANT HIM REGULAR BAIL IN THE CRIME NO.228/2023
OF KITTUR POLICE STATION, REGISTERED FOR THE OFFENCES
P/U/SEC. 307, 511, R/W 34 OF IPC., PENDING BEFORE CIVIL JUDGE
AND JMFC COURT KITTUR BELAGAVI DIST., IN THE INTEREST OF
JUSTICE AND EQUITY.

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



ORDER

Petitioner is sought to be prosecuted for the offences punishable under Section 307 of IPC. The case of the prosecution is that the accused Nos.1 to 3 have assaulted the brother of the informant with a Knife. The petitioner is implicated solely on the ground that he has harbored accused No.2 in his house.

Heard the learned counsel for the petitioner and the learned High Court Government Pleader for State.

The allegation of assaulting the brother of the informant is against the accused Nos.1 to 3 and the allegation against the petitioner is that he has harbored accused No.2 in and there is no specific overt-act of petitioner assaulting the injured witness. Even accepting the allegations utmost, the petitioner has committed an offence under Section 212 of IPC. Therefore, petitioner has made out a prima facie case to enlarge him on bail. Accordingly, I pass the following:

ORDER

- (i) Criminal petition is allowed.



(ii) Petitioner is enlarged on bail in Crime No. 228/2023, registered by the Kittur Police Station, for the offence punishable under Sections 307, 511 R/w. 34 of IPC, subject to the following conditions:

(a) Petitioner/accused No.4 shall furnish a personal bond for a sum of Rs.1 lakh with one surety for the likesum to the satisfaction of the jurisdictional Court.

(b) He shall appear before the Investigation Officer as and when required.

(c) He shall not threaten or allure the prosecution witnesses in whatsoever manner.

(d) He shall not get involved in similar offences.

(e) He shall not leave the territorial limits of the Superintend of Police



without prior permission of the
Investigation Officer.

Sd/-
JUDGE

PJ/ CT:BCK
List No.: 1 SI No.: 25