



NC: 2026:KHC-D:16314
CRL.P No.102226 of 2026

CNR: KAHC020158132026

IN THE HIGH COURT OF KARNATAKA AT DHARWAD

DATED THIS THE 30TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE VENKATESH NAIK T

CRIMINAL PETITION NO.102226 OF 2026

(438(CR.PC)/482(BNSS))

BETWEEN:

SRI PRAFUL BALAKRISHNA PATIL,
AGE: 32 YEARS, OCC: BUSINESS,
R/O. SHAHUNAGAR, BELAGAVI,
TQ. AND DIST.: BELAGAVI-590010.

... PETITIONER

(BY SRI. JAGADISH PATIL, ADVOCATE)

AND:

THE STATE OF KARNATAKA
THROUGH CAMP POLICE STATION,
BELAGAVI,
REPRESENTED BY
THE STATE PUBLIC PROSECUTOR,
HIGH COURT OF KARNATAKA,
DHARWAD BENCH-580011.

... RESPONDENT

(BY SRI. DAYANAND SANGRESHI, HCGP)

THIS CRIMINAL PETITION IS FILED U/SEC. 482 OF BNSS, 2023, PRAYING TO ALLOW THE PRESENT CRIMINAL PETITION AND GRANT ANTICIPATORY BAIL TO THE PETITIONER/ACCUSED NO.1 IN THE EVENT OF HIS ARREST IN CRIME NO.56/2026 DATED 15.07.2026 REGISTERED BY THE RESPONDENT-CAMP POLICE STATION, BELAGAVI, FOR THE ALLEGED OFFENCES PUNISHABLE UNDER SECTIONS 109, 126(2), 118(1), 352, 351(2), 351(3), 189(2), 191(2), 191(3) READ, WITH SECTION 190 OF THE BHARATIYA NYAYA SANHITA, 2023 AND SEC 25(1-A) OF THE ARMS ACT 1959 PENDING BEFORE 5TH ADDL. CIVIL JUDGE AND JMFC COURT, BELAGAVI.

THIS PETITION, COMING ON FOR ORDERS, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:



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CORAM: HON'BLE MR. JUSTICE VENKATESH NAIK T

ORAL ORDER

This petition is filed by the petitioner/accused No.1 seeking anticipatory bail under Section 482 of BNSS (U/s.438 of Cr.P.C.) in connection with Crime No.56/2026 of Camp Police Station, Belagavi, registered for the offences punishable under Sections 109, 126(2), 118(1), 352, 351(2), 351(3), 189(2), 191(2), 191(3) read with Section 190 of the Bharatiya Nyaya Sanhita, 2023 and Section 25(1-A) of the Arms Act, pending on the file of learned V Addl. Civil Judge and JMFC Court, Belagavi.

2. The brief facts of the prosecution case in nutshell is as follows:

On 14.07.2026 night at 08.30 p.m., the complainant was working at Union Gymkhana Club, Belagavi. At that time, some unknown persons came to the club and asked for the petitioner herein. Thereafter, five persons entered the Gymkhana hall and compared the face of the complainant with the photo in the mobile. Thereafter, they have abused the complainant in Marathi language. One of them assaulted the complainant with pistol at his head. When those persons try to



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assault him he managed to escape. In an effort to escape from the place, the petitioner has fired a bullet at him from his revolver and he has escaped from the said bullet. Hence, the defacto complainant lodged the complaint. Apprehending arrest at the hands of the respondent-police, the petitioner/accused has filed this petition seeking anticipatory bail.

3. Heard Sri Jagadish Patil, learned counsel appearing for the petitioner and Sri Dayanand Sangreshi, learned HCGP appearing for the respondent-State.

4. The learned counsel for the petitioner would submit that the petitioner has been falsely implicated in the case. It is further submitted that no incriminating material has been recovered from the petitioner and that the de facto complainant has not sustained any injury. The petitioner is ready and willing to abide by any conditions that may be imposed by this Hon'ble Court. It is also contended that the ingredients necessary to constitute an offence under Section 109 of BNS (section 307 of IPC) are not made out in the present case. Hence, the learned



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counsel for the petitioner prays that this Hon'ble Court may be pleased to grant anticipatory bail to the petitioner.

5. *Per contra*, learned HCGP appearing for the respondent/State contended that the petitioner has criminal antecedents and several cases have been registered against him and he is a rowdy sheeter. If the petitioner is enlarged on bail, he may tamper the prosecution witness. Hence, learned HCGP prayed to dismiss the petition.

6. The perusal of the material available on record clearly demonstrated that, the petitioner has not sustained any injury. The only allegation against the petitioner is that he fired towards the defacto complainant. However, his car got damaged. The alleged offences are not punishable with death or imprisonment for life.

7. It is well established principles of law that while granting bail, the Court has to consider the nature of the offence, circumstances in which the offence is committed, the position and status of the petitioner with reference to the victim and witnesses, likelihood of fleeing away from justice, of



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repeating same offences by the petitioner, of tampering with the witnesses, character and antecedents of the petitioner. Further, the law is well settled that while disposing of the bail petition, the Court need not scan the prosecution papers and hold mini trial.

8. Keeping all these factors in mind, upon perusal of the entire material placed on record this court is of the considered view that, *prima facie* there are no reasonable and sufficient grounds to believe, at this stage, that the petitioner is guilty of the offences alleged against him. Therefore, the petitioner is entitled for Anticipatory bail.

9. Accordingly, I proceed to pass the following:

ORDER

Criminal petition is ***allowed***. The respondent-police are directed to release the petitioner/accused No.1 on bail in the event of his arrest in connection with Crime No.56/2026 of Camp Police Station, Belagavi, registered for the offences punishable under Sections 109, 126(2), 118(1), 352, 351(2), 351(3), 189(2), 191(2), 191(3) read with Section 190 of the Bharatiya Nyaya Sanhita, 2023 and Section 25(1-A) of the



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Arms Act, pending on the file of learned V Addl. Civil Judge and JMFC Court, Belagavi, subject to the following conditions:

- i. Petitioner shall be enlarged on bail in Crime No.56/2026 registered before Camp Police Station, Belagavi, on executing a personal bond for Rs.1,00,000/- with two sureties for the likesum to the satisfaction of the Trial Court.*
- ii. Petitioner shall punctually attend the Trial Court on each and every posting unless expressly exempted.*
- iii. Petitioner shall co-operate with the Trial.*
- iv. Petitioner shall not threaten, induce, or promise anyone acquainted with the facts, nor tamper with evidence or witnesses directly or indirectly.*
- v. Petitioner shall not commit any similar offences in future.*
- vi. The petitioner shall mark his attendance before the respondent police once in a week i.e. on every Sunday in between 10 a.m. to 05.00 p.m. for a period of 6 months or till filing of final report whichever is earlier.*

Any violation of the conditions imposed above would enable the prosecution to seek for cancellation of bail.



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It is made clear that the above observations made herein are only for disposal of the present petition.

Sd/-
(VENKATESH NAIK T)
JUDGE

CLK
CT:GSM
LIST NO.: 1 SL NO.: 59