



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 30TH DAY OF DECEMBER, 2024

BEFORE

THE HON'BLE MR JUSTICE ANANT RAMANATH HEGDE

CRIMINAL PETITION NO. 14297 OF 2024

BETWEEN:

1. SAGAR D (A-2),
S/O. DEVARAJ,
AGED ABOUT 21 YEARS,
RESIDING AT NO.14,
NEAR AVALAMMA TEMPLE ROAD,
KADIRAYYANA PALYA, INDIRANAGAR,
BENGALURU - 560038.

...PETITIONER

(BY SRI SHRIDHARA K, ADVOCATE)

AND:

1. STATE OF KARNATAKA,
BY INDIRANAGAR POLICE STATION,
REP. BY STATE PUBLIC PROSECUTOR,
HIGH COURT OF KARNATAKA,
AMBEDKAR BEEDHI,
BENGALURU - 560 001.

...RESPONDENT

(BY SRI VINAY MAHADEVAIAH, HCGP)

THIS CRL.P IS FILED U/S 438 CR.P.C (U/S 482 BNSS)
PRAYING TO ENLARGE HIM ON ANTICIPATORY BAIL IN THE
EVENT OF HIS ARREST IN CR.NO.298/2024 OF INDIRANAGAR
POLICE, FOR THE OFFENCES P/U/S 25(1)(A) OF ARMS ACT,
1959, PENDING ON THE FILE OF MMTC-1, NRUPATUNGA ROAD,
BENGALURU CITY AND ETC.

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

Digitally
signed by
PRAMILA G V
Location:
HIGH COURT
OF
KARNATAKA



CORAM: HON'BLE MR JUSTICE ANANT RAMANATH HEGDE

ORAL ORDER

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

2. This petition is filed under Section 438 of Indian Penal Code and Section 482 of BNSS seeking anticipatory bail.

3. A complaint is filed against the petitioner in Crime No.298/2024 before the Indiranagar Police Station. Thereafter, an FIR is registered on 13.11.2024 for the alleged offences punishable under Section 25(1)(A) of Arms Act, 1959. The petition filed by the petitioner before the Sessions Court seeking anticipatory bail is dismissed vide order dated 06.12.2024.

4. Learned counsel appearing for the petitioner would contend that the petitioner is arrayed as Accused No.2. It is his submission that in the complaint itself there is no mention that petitioner was holding a weapon whereas, the allegation is against accused No.1 wherein it



is alleged that accused No.1 was holding weapon and tried to assault the complainant. He would also submit that the JMFC has granted bail for accused No.1 in Crime No.298/2024.

5. Learned High Court Government Pleader does not dispute the fact that the accused No.1 is also granted bail.

6. On going through the contents of the complaint which would indicate that one of the accused was holding a weapon. It is not mentioned that the present petitioner was holding a weapon. Under these circumstances, this Court is of the view that the petitioner is entitled to the anticipatory bail. Hence, the following;

ORDER:

- i) Criminal petition is ***allowed***.
- ii) The respondent - police or any other police in the State of Karnataka are directed to release the petitioner in the event of his arrest in Crime No.298/2024 registered by Indiranagar police station for the offences



punishable under Sections 25(1)(A) of Arms Act, 1959,
subject to the following conditions:

- (i) The petitioner shall appear before the Investigating Officer within 15 days from the date of receipt of the copy of this order and shall execute a personal bond for a sum of Rs.50,000/-.
- (ii) The petitioner shall also furnish a security of two sureties for the likesum to the satisfaction of the investigating officer.
- (iii) Accused shall mark his attendance before I.O. on each Monday, between 10.00 a.m. to 6.00 p.m till completion of investigation or filing of Final Report whichever is earlier.
- (iv) The petitioner shall co-operate with the Investigating Officer to complete the investigation.
- (v) The petitioner shall not tamper with any of the prosecution witnesses, directly or indirectly;



- (vi) The petitioner shall regularly appear before the Court on the hearing dates without fail.
- (vii) The petitioner shall not threaten prosecution witnesses in any manner.
- (viii) The petitioner shall not leave the jurisdiction without the leave of the Court.

Sd/-
(ANANT RAMANATH HEGDE)
JUDGE

CHS
List No.: 1 Sl No.: 92