HC-KAR
NC: 2026:KHC:60120
CRL.P No. 15701 of 2026
CNR: KAHC010702582026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 29TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

CRIMINAL PETITION NO. 15701 OF 2026

BETWEEN:

1. BUTTI HUSSAIN PEER
   S/O S.H. IBRAHIM SAB
   AGED ABOUT 55 YEARS

2. MOINUDDIN BUTTI
   S/O BUTTI HUSSAIN PEER,
   AGED ABOUT 29 YEARS,
   OCC BUSINESSMAN

3. JUNAID BUTTI
   S/O BUTTI HUSSAIN PEER,
   AGED ABOUT 22 YEARS,
   OCC BUSINESSMAN

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Location: HIGH COURT OF KARNATAKA

4. BUTTI NAWAZ
   S/O BUTTI HUSSIAN PEER,
   AGED ABOUT 25 YEARS,
   OCC BUSINESSMAN

   ALL ARE RESIDING AT NO.39, 1ST MAIN,
   2ND CROSS, SIR MIRZA ISMAIL NAGAR,
   (BEEDI LAYOUT) DAVANAGERE - 577 001

...PETITIONERS

(BY SRI. DINESHKUMAR RAO K., ADVOCATE)

AND:

THE STATE OF KARNATAKA,
BY AZAD NAGARA POLICE STATION,
DAVANAGERE - 577 004

REPRESENTED BY STATE PUBLIC PROSECUTOR,
HIGH COURT BUILDING,
BENGALURU - 560 001

…RESPONDENT

(BY SRI. RAHUL RAI K., HCGP)

THIS CRL.P IS FILED U/S 438 CR.P.C. (FILED U/S 482 BNNS) PRAYING TO ENLARGE THE PETITIONERS ON ANTICIPATORY BAIL IN THE EVENT OF THEIR ARREST IN CRIME NO. 134/2026 OF AZAD NAGAR POLICE STATION, DAVANAGERE, REGISTERED FOR THE OFFENCES PUNISHABLE UNDER SECTIONS 189(2), 190, 191(2), 191(3), 115(2), 118(1), 118(2), 329(4), 126(2), 324(4), 74, 352 AND 351(2) OF THE BHARATIYA NYAYA SANHITA, 2023 (BNS), PENDING ON THE FILE OF 4TH ADDL. CIVIL JUDGE AND JMFC COURT, DAVANAGERE.

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

CORAM: HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

ORAL ORDER

Accused Nos.1 to 3 and 15 in Crime No.134/2026 registered by Azad Nagar Police Station, Davanagere for the offences punishable under Section 189(2), 190, 191(2), 191(3), 115(2), 118(1), 118(2), 329(4), 126(2), 324(4), 74, 352, 351(2) of BNS 2023, are before this Court in this petition filed under Section 482 of BNSS, 2023 seeking anticipatory bail.

2. Heard the learned counsel for the parties.

3. FIR in Crime No.134/2026 was registered by Azad Nagar Police Station, Davanagere for the aforesaid offences against the petitioners herein and others, based on the first information dated 08.09.2026 received from Reshma Banu, wife of Mohammed Ali, who is one of the injured victim in the present case. Apprehending arrest in the present case, the petitioners had filed Crl.Misc.No.810/2026 before the jurisdictional Sessions

Court, which was rejected on 26.09.2026. Therefore, they are before this Court.

4. Perusal of the material on record would go to show that there is prior enmity between the two groups, who had fought on 06.09.2026 against each other. In respect of the alleged incident that had taken place on 06.09.2026, a case and counter case were registered in Crime No.133/2026 and Crime No.134/2026 by Azad Nagar Police Station, Davanagere. Petitioner No.2 is the complainant in Crime No.133/2026 registered by Azad Nagar Police Station, wherein the husband of the first informant in the present case is arrayed as an accused in the said case. It appears that the injured victim in Crime No.133/2026, who is arrayed as accused No.11 in the present case, had died subsequently.

5. Learned counsel for the petitioners has submitted that even the petitioners herein have suffered injuries, in the incident in question that had taken place on

the evening of 06.09.2026. FIR in the present case has been registered belatedly after lapse of 2 days from the date of incident.

6. Considering the aforesaid aspects of the matter, I am of the opinion that the prayer made by the petitioners for grant of anticipatory bail needs to be answered affirmatively, subject to appropriate conditions. Accordingly, the following :

O R D E R

(i) The criminal petition is allowed. The respondent - Police or any other police in the State of Karnataka are directed to release the petitioners in the event of their arrest in Crime No.134/2026 registered by Azad Nagar Police Station, Davanagere for the offences punishable under Section 189(2), 190, 191(2), 191(3), 115(2), 118(1), 118(2), 329(4), 126(2), 324(4), 74, 352, 351(2) of BNS 2023, subject to the following conditions:

a) Petitioners 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.1,00,000/- each with two sureties for the likesum to the satisfaction of the investigating officer.

b) Petitioners shall regularly appear before the Trial Court without fail unless exempted by the Trial Court for valid reasons.

c) Petitioners shall not tamper with the prosecution witness and they shall co-operate with the police for investigation and appear before them whenever called upon.

d) Petitioners shall not involve in similar offences in future.

Sd/-
(S VISHWAJITH SHETTY)
JUDGE

AMM
List No.: 1 Sl No.: 86