



**IN THE HIGH COURT OF KARNATAKA, AT DHARWAD**

**DATED THIS THE 15<sup>TH</sup> DAY OF APRIL, 2026**

**BEFORE**

**THE HON'BLE MR. JUSTICE HANCHATE SANJEEVKUMAR**

**CRIMINAL PETITION NO.100686 OF 2026**  
**(438 OF Cr.PC/482 OF BNSS)**

**BETWEEN:**

SRI RAMESH S/O. LAKKAPPA KESARAGOPPA,  
AGE: 55 YEARS, OCC: AGRICULURIST/SOCIAL WORKER,  
R/O. MAHALINGAPUR (RURAL),  
TQ. RABAKAVI-BANAHATTI, DIST. BAGALKOT-587312.

...PETITIONER

(BY SRI HARISH S. MAIGUR, ADVOCATE)

**AND:**

THE STATE OF KARNATAKA,  
THROUGH MUDHOL P.S., BAGALKOT,  
REPRESENTED BY ITS STATE PUBLIC PROSECUTOR,  
HIGH COURT OF KARNATAKA, DHARWAD-580001.

...RESPONDENT

(BY SRI ABHISHEK MALIPATIL, HCGP)

THIS CRIMINAL PETITION IS FILED U/S.438 OF THE CODE OF CRIMINAL PROCEDURE, (U/S.482 OF BNSS, 2023) PRAYING TO ISSUE A DIRECTION TO THE MUDHOL POLICE STATION, TO ENLARGE THE PRESENT PETITIONER ON BAIL, WHO IS ARRAYED AS ACCUSED NO.4 ON BAIL IN THE EVENT OF HIS ARREST BY THE MUDHOL POLICE IN CONNECTION WITH MUDHOL P.S. CRIME NO.55/2026 DATED 28.03.2026, FOR THE OFFENCE PUNISHABLE U/S.25(A) OF ARMS ACT, 1959 U/S.351(2) R/W. 3(5) OF BNS ACT, 2023 PENDING ON THE FILE OF ADDITIONAL CIVIL JUDGE (SR.DN) AND CJM, MUDHOL, BAGALKOT DISTRICT IN SO FAR AS THIS PETITIONER I.E., ACCUSED NO. 4 IS CONCERNED, TO MEET THE ENDS OF JUSTICE.

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





CORAM: THE HON'BLE MR. JUSTICE HANCHATE SANJEEVKUMAR

**ORAL ORDER**

Heard the arguments of Sri. Harish S. Maigur, learned counsel for the petitioner/accused No.4 and Sri. Abhishekh Malipatil, learned HCGP, for the respondent-State and perused the material made available before the Court.

2. This petition is filed under Section 438 of the Code of Criminal Procedure, 1973<sup>1</sup> / Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023<sup>2</sup>, by the petitioner/accused No.4 praying to enlarge the petitioner/accused No.4 on anticipatory bail in Mudhol P.S. Crime No.55/2026, pending on the file of Additional Civil Judge (Sr.Dn) and CJM Court, Mudhol, Bagalkot District, for the offences punishable under Section 25(A) of Arms Act, 1959, Section 351(2) read with Section 3(5) of the Bharatiya Nyaya Sanhita, 2023, in respect of accused No.4/petitioner is concerned, by allowing this petition.

3. The brief case of the prosecution as per the averments made in the complaint and FIR is that on 27.02.2026 the

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<sup>1</sup> Hereinafter referred to as the 'Cr.P.C.'

<sup>2</sup> Hereinafter referred to as the 'BNSS, 2023'



complainant was on patrolling duty near Belagali village. At that time, the public of the said village informed the complainant that one Javed (accused No.1) was roaming around the village with a pistol and threatening the villagers. Immediately, the complainant visited the spot, where accused No.1 was holding revolver and pistol and intimidating people. On enquiry, accused No.1 revealed that the revolver and pistol were given to him by his friend Ravi Bajantri (accused No.2), who had received them from one Ramesh Kesaragoppa (accused No.4) for keeping them for a week. Further, on enquiry, the complainant came to know that accused No.1 had no license or permit. Accused No.2 further states that he had sent revolver and pistol through Rakesh Bandivaddar (accused No.3) and the Rakesh Bandivaddar handed over revolver and pistol to accused No.1. Accused No.1 was threatening the public. Therefore, with these allegations a complaint was lodged on 27.02.2026 before the Mudhol Police Station. Thus, the petitioner/accused No.4, as having unauthorized possession of revolver and pistol, is foisted with the offences as above stated.



4. Learned counsel for the petitioner submitted that the petitioner/accused No.4 is falsely implicated in the case. The alleged incident of handing over pistol and revolver is stated to have occurred on 13.02.2026 as per the averments made in the complaint. However, the petitioner/accused No.4 was in custody from 12.02.2026 and was released on bail on 09.03.2026 in another crime. Therefore, there was no possibility of handing over pistol and revolver to either accused No.2 or accused No.1 on 13.02.2026. Hence, it is submitted that the petitioner/accused No.4 is falsely implicated in the case and prays to grant anticipatory bail.

5. Learned HCGP vehemently opposes the grant of bail to the petitioner and prays for rejection of the petition.

6. Upon considering the role attributed to the petitioner/accused No.4 it is alleged that he had handed over pistol and revolver on 13.02.2026, whereas the allegation against accused No.1 is that he had criminally intimidated public by showing pistol and revolver. This accusation is not against the petitioner/accused No.4. Furthermore, the learned counsel for the petitioner/accused No.4 has produced the remand report to



show that the petitioner was arrested on 12.02.2026 and was released on bail on 09.03.2026 in another crime. Therefore, when he was in custody in another crime from 12.02.2026 to 09.03.2026, but the alleged incident is stated to have occurred on 13.02.2026, the same is a matter for consideration during trial. Hence, without expressing any opinion on the merits involved in the case, the Court is of the opinion that the petitioner/accused No.4 is entitled to be granted anticipatory bail.

7. Hence, I proceed to pass the following:

**ORDER**

- a) The petition is ***allowed***.
- b) The petitioner/accused No.4 is enlarged on bail in the event of his arrest in Crime No.55/2026 of Mudhol Police Station, registered for the offences punishable under Section 25(A) of Arms Act, 1959, Section 351(2) read with Section 3(5) of the Bharatiya Nyaya Sanhita, 2023, pending on the file of Additional Civil Judge



(Sr.Dn) and CJM, Mudhol, Bagalkot District, subject to the following conditions.

- a. The petitioner/accused No.4 shall appear before the trial Court and shall seek for bail within ten days from the date of receipt of a copy of this order.
- b. The petitioner/accused No.4 shall execute a personal bond for a sum of Rs.1,00,000/- along with one surety for the like sum to the satisfaction of the Trial Court.
- c. The petitioner/accused No.4 shall not indulge in the same offence or any other criminal cases, till completion of the trial.
- d. The petitioner/accused No.4 shall not leave the jurisdiction of the Trial Court without prior permission of the Court.
- e. The petitioner/accused No.4 shall not tamper and threaten the prosecution witnesses in any manner.
- f. The petitioner/accused No.4 shall mark his attendance before the concerned police station on every Saturday between



11.00 a.m. to 02.00 p.m. till filing final report.

- g. The petitioner/accused No.4 shall attend the Court regularly during the trial without fail. If not attend for consecutive two times, it entails cancellation of bail.
- h. Violation of any one of the conditions would entails the prosecution to seek for cancellation of bail.

**Sd/-  
(HANCHATE SANJEEVKUMAR)  
JUDGE**

PMP /CT-AN  
List No.: 2 SI No.: 7