



**IN THE HIGH COURT OF KARNATAKA AT BENGALURU**

**DATED THIS THE 11<sup>TH</sup> DAY OF JUNE, 2024**

**BEFORE**

**THE HON'BLE MRS JUSTICE M G UMA**

**CRIMINAL PETITION NO. 1672 OF 2024**

**BETWEEN:**

SRI. VENKATESHA S K.,  
S/O KADHIRAPPA,  
AGED ABOUT 28 YEARS,  
R/A 238, IST MAIN ROAD,  
SURADENAPURA,  
ARADESHANAHALLI POST,  
DEVANAHALLI TALUK,  
BENGALURU RURAL-562 110

...PETITIONER

(BY SRI. SUNIL KUMAR R., ADVOCATE)

**AND:**

STATE REPRESENTED BY  
RAJANUKUNTE POLICE STATION,  
BENGALURU - 560 064,  
REP. SY SPP,  
HIGH COURT BUILDING,  
HIGH COURT OF KARNATAKA,  
BENGALURU 560 001

...RESPONDENT

(BY SRI. RAHUL RAI K., HCGP)

THIS CRL.P IS FILED U/S.439 OF CR.P.C PRAYING TO  
GRANT BAIL TO THE PETITIONER IN CR.NO.06/2024 OF  
RAJANUKUNTE P.S., BENGALURU CITY FOR THE OFFENCE





P/U/S 323,324,504,506,34,307 OF IPC ON THE FILE OF THE IV  
ADDL.DISTRICT AND SESSIONS JUDGE, DODDABALLAPURA

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

**ORDER**

The petitioner-accused No1 is before this Court seeking grant of bail under Section 439 of Cr.P.C. in Crime No.06 of 2024 of Rajanukunte Police Station, pending on the file of the learned IV Additional District and Sessions Judge, Doddaballapura registered for the offences punishable under Sections 323, 324, 504, 506, 34 and 307 of Indian Penal Code, 1860 (for short 'IPC'), on the basis of the first information lodged by the informant viz., Lakshmisha.

2. Heard Sri.Sunil Kumar R., learned counsel for the petitioner and Sri.Rahul Rai K., learned High Court Government Pleader for the respondent-State. Perused the materials on record.



3. In view of the rival contentions urged by the learned counsel for both the parties, the point that would arise for my consideration is:

*"Whether the petitioner is entitled for grant of bail under Section 439 of Cr.P.C.?"*

### **REASONS**

4. The petitioner-accused No.1 is seeking grant of bail. He was apprehended on 04.01.2024. It is stated that after the investigation, chargesheet is filed. It is alleged that this petitioner along with the co-accused picked up quarrel with the informant and assaulted him with a knife, while accused Nos.3 and 4 have assaulted with beer bottle and caused injuries to the informant and another. The wound certificate pertaining to the injured disclose that both have sustained one simple injury each. Admittedly, this petitioner is not having any criminal antecedents. However, the co-accused who are absconding are said to be having criminal antecedents. The knife said to have



been used by the petitioner in causing the injuries to the injured is already recovered at his instance. Considering the facts and circumstances of the case, I am of the opinion that the petitioner is not required to be detained in custody and the same would amount to infringement to his/her right to life and liberty. Hence, I am of the opinion that the petitioner is entitled to be enlarged on bail subject to conditions, which will take care of the apprehension expressed by the learned High Court Government Pleader that the petitioner may abscond or may tamper or threaten the prosecution witnesses.

5. Accordingly, I answer the above point in the affirmative and proceed to pass the following:

**ORDER**

The petition is ***allowed.***

The petitioner is ordered to be enlarged on bail in Crime No.06 of 2024, Rajanukunte Police Station, on obtaining the bond in a sum of Rs.2,00,000/- (Rupees Two



Lakhs only) with two sureties for the likesum to the satisfaction of the jurisdictional Court, subject to the following conditions:

- a). The petitioner shall not commit similar offences.
- b). The petitioner shall not threaten or tamper with the prosecution witnesses.
- c). The petitioner shall appear before the Court as and when required.

If in case, the petitioner violates any of the conditions as stated above, the prosecution will be at liberty to move the Trial Court seeking cancellation of bail.

On furnishing the sureties by the petitioner, the Trial Court is at liberty to direct the Investigating Officer to verify the correctness of the address and authenticity of the documents furnished by the petitioner and the sureties and a report may be called for in that regard, which is to be submitted by the Investigating Officer within 5 days.



The Trial Court on satisfaction, may proceed to accept the sureties for the purpose of releasing the petitioner on bail.

**Sd/-**  
**JUDGE**

SS  
List No.: 1 SI No.: 2