



CNR: KAHC020145692026

NC: 2026:KHC-D:16308
CRL.P No. 102099 of 2026

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.102099 OF 2026
(439(Cr.PC)/483(BNSS))

BETWEEN:

KUMAR @ DALI S/O. ARJUN GORAKANNAVAR,
AGE: 25 YEARS, OCC: AGRICULTURE,
R/O. YALIMUNNOLI, TALUK: HUKKERI,
DIST. BELAGAVI-590001.

...PETITIONER

(BY SRI SACHCHIDANAND B. PATIL, ADVOCATE)

AND:

STATE OF KARNATAKA,
BY GHATAPRABHA POLICE STATION,
REPRESENTED BY THE STATE PUBLIC PROSECUTOR,
HIGH COURT OF KARNATAKA,DHARWAD-580001.

...RESPONDENT

(BY SRI PRAVEENA Y. DEVAREDDIYAVARA, HCGP)

THIS CRIMINAL PETITION IS FILED U/S.483 OF BNSS (U/S.439 OF CR.P.C.), PRAYING TO ALLOW THIS PETITION AND ENLARGE THE PETITIONER/ACCUSED NO.10 ON REGULAR BAIL IN CRIME NO.158/2026 OF GHATAPRABHA POLICE STATION (ORIGINALLY CRIME NO.94/2026 OF YAMAKANMARDI POLICE STATION) FOR THE OFFENCES PUNISHABLE UNDER SECTIONS 103(1), 106(1) AND 281(b) OF THE BNS, 2023, NOW PENDING ON THE FILE OF THE II ADDL. DISTRICT AND SESSIONS JUDGE, BELAGAVI, SITTING AT GOKAK IN THE INTEREST OF JUSTICE AND EQUITY.

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

CORAM: HON'BLE MR. JUSTICE VENKATESH NAIK T



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ORAL ORDER

Heard Sri.Sachchidand B.Patil, learned counsel for the petitioner, Sri.Praveena Devareddiyavara learned HCGP for respondent–State.

2. The petitioner/accused No.10 has filed this petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (Section 439 of Cr.P.C.) seeking to enlarge him on bail in connection with crime No.158/2026 of Ghataprabha Police Station, registered for the offences punishable under Sections 103(1), 238(B) r/w Section 3(5) of the Bharatiya Nyaya Sanhita, 2023, pending on the file of the learned Additional Civil Judge (Jr.Dn.) & JMFC, Court, Gokak, Belagavi District.

3. The brief facts of the prosecution case in nutshell are as under:

Accused No.1 is the wife of the deceased Sandeep K.Manjaragi. Deceased was a retired army personnel, who addicted to alcohol. Accused No.1 by taking advantage of the same, decided to eliminate him with an intention to



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claim his insurance. Accordingly, accused No.1 availed the term insurance policy in the name of the deceased behind his back by forging his signature. Thereafter, she makes him to consume alcohol to ensure his early death. For which, she allegedly took the help of accused No.2, with whom she had an extra marital affair. After making the deceased to drink alcohol, allowing him to drive the vehicle, to ensure that at least let him die by met with an accident. The deceased on the influence of alcohol, met with an accident, however, suffered some minor injuries. By hatching to cause his death, by administering some poisonous substance, admitted him to J.G.Co.Hospital where accused No.2 secured some sleeping pill and some poisonous substance and administered the same through saline, caused his death. In this regard, postmortem was conducted. In order to ascertain actual cause of his death, doctor collected the viscera, the same was sent to FSL, where she bribed the RFSL Officer and managed to get the report stating that firstly as on the date of the accident,



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the deceased was not under the influence of alcohol, and secondly, no poisonous substance found in the viscera. In this regard, accused No.2 approached the police to act as an approver, allegedly given his statement under Section 183 of BNSS before the Judicial Magistrate. Thereafter, the police started investigation, and they came to know about the involvement of accused Nos.1 to 10.

4. During the course of investigation, the petitioner was arrested and he was remanded to the judicial custody. Taking exception to the same, the petitioner/accused No.10 has filed this petition.

5. The learned counsel for the petitioner vehemently contended that the petitioner is innocent. He has not committed any offence as alleged by the prosecution and he has been falsely implicated in the case. The only allegation against the petitioner is that he issued tampered report from the government scientific agency with an intention to screen the evidence of the crime. Now, the investigation is completed, and the Investigating



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Officer has already filed a charge-sheet against the accused, and there is no necessity of the petitioner to continue in judicial custody. The petitioner is ready to abide by the conditions to be imposed by this Court. Hence, learned counsel for the petitioner prays to allow the petition.

6. *Per contra*, learned HCGP for respondent-State contended that petitioner is involved in the offence punishable under Section 103 of BNS, 2023 and there is *prima-facie* material against the petitioner. If the petitioner is released on bail, he would tamper with the prosecution witnesses and hamper the investigation and hence, learned HCGP prayed to dismiss the bail petition.

7. On perusal of the material available on record, it reveals that the entire allegations are against accused Nos.1 and 2. It is the case of the prosecution that accused Nos.1 and 2 have administered some poisonous substance to the body of the deceased. The only allegation against the petitioner/accused No.10 is that he issued tampered



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report from the government scientific agency to screen the evidence of crime. Whether petitioner/accused No.10 assisted in tempering with the report issued by the government scientific agency is a matter of trial and the same has to be established during the course of the evidence. The petitioner is a permanent resident of the address mentioned in the cause title of the petition and he is ready and willing to abide by the conditions to be imposed by this Court. Under these circumstances, this court is of the opinion that the petitioner may be enlarged on bail with stringent conditions. Accordingly, I proceed to pass the following:

ORDER

The criminal petition is ***allowed***.

The petitioner/accused No.10 is ordered to be enlarged on bail in connection with crime No.158/2026 of Ghataprabha Police Station, registered for the offences punishable under Sections 103(1), 238(b) r/w Section 3(5) of the Bharatiya Nyaya Sanhita, 2023, pending on the file



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of the Additional Civil Judge (Jr.Dn.) & JMFC, Court, Gokak, Belagavi, on he executing personal bond in a sum of Rs.2,00,000/- with two sureties for the like sum to the satisfaction of the trial court, subject to the following conditions:

- (i) The petitioner shall not threaten or tamper the prosecution witnesses either directly or indirectly.
- (ii) The petitioner shall attend the trial Court regularly as and when required.
- (iii) The petitioner shall not involve in the similar or any other offences.

Violation of any one of the conditions, would entitle the prosecution to seek for cancellation of the bail.

NOTE:- The observations made in the petition is only for disposal of the petition.

**Sd/-
(VENKATESH NAIK T)
JUDGE**

MBS /CT-AN
List No.: 1 Sl No.: 54