

(2020) 04 KAR CK 0007
In the Karnataka High Court
Case No : Criminal Petition No. 1883 Of 2020

Sammu @ Basheer Sab

APPELLANT

Vs

State By Rajankunte Police Station

RESPONDENT

Date of Decision : 13-04-2020

Acts Referred:

Indian Arms Act, 1959 — Section 3, 25
Indian Penal Code, 1860 — Section 34, 307, 332

Citation : (2020) 04 KAR CK 0007

Hon'ble Judges : K. N. Phaneendra, J

Bench : Single Bench

Advocate : Sirajuddin Ahmed, Mahesh Shetty

Final Decision : Allowed

Judgement

K. N. Phaneendra, J

1. Heard the learned counsel for the petitioner and the learned High Court Government Pleader for the respondent State. Perused the records.

2. It is seen from the records that the petitioner (A1) was released on bail earlier by this court in CrI. P. No.3828/2014 vide order dated 21.07.2014.

However, the petitioner jumped the bail granted by this court. Subsequently, he has been arrested in some other case in Crime No.201/2019 for the

offence punishable under Section 25 of the Indian Arms Act with some other offences under the provisions of Indian Penal Code.

3. Learned counsel for the petitioner (A1) submitted that, the petitioner has been in judicial custody for a period of eight months after his re-arrest in

this particular case. The learned counsel also submitted with all responsibility that, the petitioner has already been released on bail in another case in

Crime No.201/2019 by the Jurisdictional Magistrate.

4. In view of the above said submission, in my opinion, one opportunity should be given to the petitioner (A1) to mend his conduct so that he shall not in any manner misuse the latitude given to him in granting bail. Therefore, in the above said circumstances, this court need not to go into the merits or demerits of this particular case for the offence under Section 307 of IPC. As this case has already been committed to the Sessions Court and registered in SC No.10002/2018, and now pending before the court of IV Addl. District and Sessions Judge at Doddaballapur, I am of the opinion that, on some conditions, the petitioner is entitled to be enlarged on bail. Hence, the following,-

ORDER

The Petition is allowed. Consequently, the petitioner (A1)- Sammu@ Basheer Sab shall be released on bail in connection with Crime No. 14/2013 of the respondent-Rajanukunte Police Station, now pending before the Court of IV Additional District and Sessions Judge at Doddaballapura, in SC No.10002/2018 for the offence punishable under Sections 332, 307 r/w. 34 of IPC and Sections 3 and 25 of the Indian Arms Act, subject to the following conditions:

- (i) The petitioner shall execute his personal bond for a sum of Rs.1,00,000/- (Rupees One Lakh only) with one surety for the like-sum to the satisfaction of the jurisdictional Court.
- (ii) The petitioner shall not tamper the prosecution witnesses.
- (iii) The petitioner shall appear before the jurisdictional Court on all future hearing dates unless exempted by the Court for any genuine cause.
- (iv) The petitioner shall not leave the jurisdiction of the trial Court ie., Bengaluru Urban or Rural District, without prior permission, till the case registered against him is disposed of.