



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 12TH DAY OF JUNE, 2026

BEFORE

THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

CRIMINAL PETITION NO. 2899 OF 2026

BETWEEN:

SRI TINKAJ KUMAR
S/O SUNIL
AGED ABOUT 45 YEARS,
R/A, ICHANGUR,
ATTIBELE HOBALI,
ANEKAL TALUK, VADDARAPALYA,
YADAVANAHALLI, BENGALURU 562 107

...PETITIONER

(BY SRI HARISH PRABHU S.,ADVOCATE)

AND:

STATE BY
EXCISE.P.S.
ATTIBELE BUD-8
REPRESENTED BY P.P.
SPP, HIGH COURT BUILDING,
RURAL COURT COMPLEX,
BENGALURU - 1.

...RESPONDENT

(BY SRI LAXMAN B, HCGP)

THIS CRL.P IS FILED U/S 438 CR.P.C (U/S 482 BNSS) BY THE ADVOCATE FOR THE PETITIONER PRAYING THAT THIS HONOURABLE COURT MAY BE PLEASED TO ENLARGE THE PETITIONER ON ANTICIPATORY BAIL IN THE EVENT OF ARREST IN SPL.C.NO.329/2025 ARISING OUT OF CR.NO.50/2023-24 REGISTERED BY EXCISE ATTIBELE, BUD-8, BENGALURU RURAL, FOR THE OFFENCES P/U/S 20(b)(ii)(B),25,61,8(c) OF NDPS ACT, PENDING BEFORE THE HONBLE VIII ADDL. DISTRICT AND SESSIONS JUDGE AND SPECIAL JUDGE FOR NDPS CASES, AT BENGALURU RURAL, BENGALURU AND ETC.

Digitally
signed by
PRAMILA G V
Location:
HIGH COURT
OF
KARNATAKA



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 in Crime No.50/2023-24 registered by Sub-Inspector of Police, Excise Department, Attibele, Bangalore Urban Division for the offence punishable under Sections 8(c), 20(b)(ii)(B), 25 and 61 of Narcotic Drugs and Psychotropic Substances, 1985 (for short 'NDPS') is before this Court in this petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 seeking anticipatory bail.

2. Heard the learned counsel for the petitioner and learned High Court Government Pleader on behalf of respondent-State.

3. In the first information which is filed by Sub-Inspector of Excise in FIR No.50/2023-24, Attibele, Bangalore, it is stated that on 10.04.2024, at about 09:00 p.m., during Lok Sabha elections, he received a credible information that the petitioner who was staying in a rented premises at Attibele in Anekal Taluk was in possession of contraband article. Thereafter, a raid was conducted to the house of the petitioner



and 20 packets of Sri.MahakaIMunakkaVati were recovered. In each of the packets there were about 40 tablets and the same totally weighed 4.320 Kgs. It is under these circumstances, FIR was registered against the petitioner.

4. Apprehending arrest in the present case, the petitioner had filed application seeking anticipatory bail in Criminal Misc. Petition No.84/2026 before the jurisdictional Sessions Court which was dismissed on 03.02.2026. Therefore, the petitioner is before this Court.

5. Learned counsel for the petitioner has reiterated the grounds urged in the petition and submits that the packets seized from the house of the petitioner contained ayurvedic digestive tablets and the same is available in the open market for sale. He has produced a memo along with certain documents in support of his submission and submits that the petitioner is ready and willing to co-operate before the Trial Court for the purpose of disposal of the case. Accordingly, prays to allow the petition.

6. *Per contra*, learned High Court Government Pleader opposes the bail petition and submits that the petitioner has



absconded through out and therefore he is not entitled for the relief of anticipatory bail.

7. Perusal of material on record would go to show that on 10.04.2024, when the Code of Conduct was in existence in view of Lok Sabha elections, first informant had received credible information that the petitioner sold contraband article in his house. Therefore, a raid was conducted to the house of the petitioner and from the said house, 20 packets of Sri.MahakalMunakkaVati were seized.

8. Material now produced by the learned counsel for the petitioner along with a memo would go to show that Mahakal Munakka Vati is a traditional ayurvedic digestive tablet which primarily contains Munakka (dried black grapes/raisins) and Bhang (Cannabis) which are blended with digestive herbs to help with gas, constipation and appetite loss. The material produced would also go to show that the said product is available for sale in open markets even online. It is not in dispute that the petitioner has no other criminal antecedents. Investigation of the case is completed and final report has been filed in the present case. Allegations now made in the final



report against petitioner is required to be proved in a full-fledged trial. It is not in dispute that the petitioner has no other criminal antecedents.

9. Under the circumstances, I am of the opinion that, prayer made by the petitioner for grant of anticipatory bail needs to be answered affirmatively subject to appropriate conditions.

10. Accordingly, the following:

ORDER

(i) The Criminal Petition is ***allowed.***

(ii) The respondent - Police or any other Police in the State of Karnataka are directed to release the petitioner in the event of his arrest in FIR No.50/2023-24 registered by Sub-Inspector of Police, Excise Department, Attibele, Bangalore Urban Division for the offence punishable under Sections 8(c), 20(b)(ii)(B), 25 and 61 of Narcotic Drugs and Psychotropic Substances, 1985, subject to the following conditions:



1. Petitioner 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/- (One lakh only) with two sureties, out of which one surety shall be a local surety for the likesum to the satisfaction of the investigating officer.
2. Petitioner shall regularly appear before the Trial Court without fail unless exempted by the Trial Court for valid reasons.
3. Petitioner shall not tamper with the prosecution witness and they shall co-operate with the Police for investigation and appear before them whenever called upon.
4. Petitioner shall not involve in similar offences in future.

Sd/-
(S VISHWAJITH SHETTY)
JUDGE