



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 22ND DAY OF APRIL, 2026

PRESENT

THE HON'BLE MR. JUSTICE MOHAMMAD NAWAZ

AND

THE HON'BLE MR. JUSTICE VENKATESH NAIK T

CRIMINAL APPEAL NO. 448 OF 2026 (21(NIA))

BETWEEN:

1. SRI. CHAN PASHA A.
S/O ABDUL SUBHAN,
AGED ABOUT 53 YEARS,
R/AT H.NO.708, 7TH FLOOR,
ADUGODI POLICE QUARTERS,
ADUGODI, BENGALURU-560 030.
2. DR. NAGARAJ S.
S/O LATE SRINIVASA M.,
AGED ABOUT 44 YEARS
R/AT NO.1, VENKATESH NILAYA,
FLAT NO.2, 1ST FLOOR,
OPP TO FOOD MAX HYPER MART,
SRI SAI BABA LAYOUT, NAGANATHAPUR,
BENGALURU-560 100.

PERMANENTLY
R/AT LAKSHMI NILAYA,
TANK BUND ROAD,
BEHIND TEACHERS COLONY,
TANK CIRCLE CHINTAMANI,
CHINTAMANI CHIKKABALLAPURA,
KARNATAKA-563 125.

...APPELLANTS

(BY SRI. S. BALAKRISHNAN, ADVOCATE)



AND:

NATIONAL INVESTIGATION AGENCY
REPRESENTED BY
SPECIAL PUBLIC PROSECUTOR
NIA HIGH COURT BUILDING,
BENGALURU-560 001.

...RESPONDENT

(BY SRI. PRASANNA KUMAR P., SPL. PP)

THIS CRL.A IS FILED U/S 21(4) NIA PRAYING TO SET ASIDE THE ORDER DATED 11.02.2026 PASSED BY THE HON'BLE XLIX ADDITIONAL CITY CIVIL AND SESSIONS JUDGE AND SPECIAL JUDGE FOR NIA CASES AT BENGALURU (CCH-50) IN SPL.C.NO.123/2024 AND ENLARGE THEM ON BAIL IN SPL.C.NO.123/2024 PENDING BEFORE THE HON'BLE COURT OF XLIX ADDITIONAL CITY CIVIL AND SESSIONS JUDGE, AND SPECIAL JUDGE FOR NIA CASES AT BENGALURU (CCH-50) IN SPL.C.NO.123/2024 (CRIME NUMBER 149/2023) REGISTERED ON THE FILE OF THE HEBBAL POLICE STATION FOR THE OFFENCES PUNISHABLE UNDER SECTION 120B, 121, 121A, 122 OF THE IPC, SECTION 3 AND 25 OF ARMS ACT AND SECTION 13 AND 18 OF UA(P) ACT, 1967.

THIS APPEAL, COMING ON FOR ADMISSION, THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE MOHAMMAD NAWAZ
and
HON'BLE MR. JUSTICE VENKATESH NAIK T



ORAL JUDGMENT

(PER: HON'BLE MR. JUSTICE MOHAMMAD NAWAZ)

This appeal is preferred by accused Nos.11 and 12 against the order dated 11.02.2026 passed in Spl.C.No.123/2024 rejecting their bail application by the Court of XLIX Additional City Civil and Sessions Judge (Special Court for the trial of NIA Cases), (CCH-50) at Bengaluru.

2. The appellants are seeking to set aside the order passed by the Special Court and consequently to enlarge them on bail.

3. We have heard the learned counsel for appellants, learned Special Public Prosecutor for respondent/NIA and perused the material on record.

4. The Special Public Prosecutor has filed statement of objections.



5. Brief facts:- on credible information that certain habitual offenders were in contact with Accused No.1-T.Naseer and their involvement in conspiracy meetings, procurement and storage of arms, ammunition, explosive substances and other materials in the residence of accused No.3-Syed Suhail Khan, with an intention to disturb the unity, integrity and sovereignty and to wage war against the Government of India, police conducted a raid and seized 7 country made pistols, 45 live rounds, 1 additional magazine, 2 walkie talkies and other digital gadgets from the possession of the accused persons. A case in Crime No.149/2023 dated 18.07.2023 was registered at Hebbal Police Station, Bengaluru City under Section 120B, 121, 121A and 122 of IPC, 1860 and Section 3 and 25 of the Arms Act, 1959 and Section 13 and 18 of the Unlawful Activities (Prevention) Act, 1967.

6. In the course of investigation, Section 4, 5 and 6 of the Explosive Substances Act, 1908 and Section 9(B) of the Explosives Act, 1884 were invoked. The



investigation was handed over to the NIA, which registered RC No.28/2023/NIA/DLI on 25.10.2023 and on completion of the investigation, filed the charge sheet against 8 accused persons for various offences. In the further investigation conducted by the NIA, the involvement of accused No.9 was revealed and therefore against the said accused a supplementary charge sheet was filed. Further, second supplementary charge sheet came to be filed against accused Nos.10 to 12 on an allegation that the said accused provided logistical support for furthering the terrorist activities of proscribed terrorist organization (LET).

7. The appellants are arraigned as accused Nos.11 and 12 respectively in the supplementary charge sheet, invoking Section 7(a) and 7(b) of the Prevention of Corruption Act, 1988 against them.

8. It is contented by the learned Special Public Prosecutor for respondent/NIA that accused No.11 while



working as Assistant Revenue Sub-inspector, at City Armed Reserve was detailed as a writer. The investigation has revealed that he has provided the escort details of accused No.1 and his co-accused in the Bengaluru serial bomb blast case to accused Nos.8 and 10, being completely aware that the aforementioned detail is a confidential information pertaining to movement of prisoners in high security barracks. However, for receipt of illegal gratification, he has shared the details with the co-accused. He further contented that accused No.12 is a psychiatrist doctor at the Central Prison, Parappana Agrahara, Bengaluru and he has authorized the access to the facility and he has also received illegal gratification, hence, the appellants are not entitled to bail.

9. In this case, the respondent/NIA has filed the charge sheet for various offences including the offences under the UA(P) Act. However insofar as the appellants are concerned, the offence invoked against accused No.11 is under Section 7(a) and 7(b) of the Prevention of



Corruption Act and against accused No.12 is under Section 7(a) and 7(b) of the Prevention of Corruption Act and Section 42 of the Karnataka Prisons Act, 1963. The appellants were arrested on 08.07.2020 and they have already undergone 9 months in custody.

10. The allegations that the appellants are involved in the commission of offence with the intent to facilitate other accused persons by providing logistic support etc., is a matter which has to be established during trial. The fact remains that the accused are in custody for more than 9 months and the maximum punishment prescribed is 7 years i.e., for the offence punishable under Section 7(a) and 7(b) of Prevention of Corruption Act.

11. In that view of the matter, the relief sought in the appeal can be granted by imposing appropriate conditions. Accordingly, the following:

ORDER

- (i) Appeal is ***allowed***.



(ii) Order dated 11.02.2026 passed in Spl.C.No.123/2024 on the file of the Court of XLIX Additional City Civil and Sessions Judge, (Special Judge for Trial of NIA Cases), (CCH-50), Bengaluru, is hereby set aside.

(iii) The appellants/accused Nos.11 and 12 are ordered to be released on bail subject to following conditions:-

- i) They shall execute a personal bond in a sum of Rs.2,00,000/- (Rupees Two Lakhs only) each with two sureties for the likesum to the satisfaction of the trial Court.
- ii) They shall furnish their residential addresses proof.
- iii) They shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any Police Officer.



- iv) They shall not leave India without previous permission of the Court.
- v) They shall be regular in attending Court proceedings.

**Sd/-
(MOHAMMAD NAWAZ)
JUDGE**

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