



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 19TH DAY OF JUNE, 2026

BEFORE

THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

CRIMINAL PETITION NO.4442 OF 2026

BETWEEN:

SRI.SANDEEP S
S/O SRI.SHASHIKANTH
AGED ABOUT 24 YEARS
R/AT NO.5, SRI RAMA NAGAR
HONGASANDRA ROAD
BOMMANAHALLI
BENGALURU - 560068

...PETITIONER

(BY SRI.BINU M, ADVOCATE)

AND:

UNION OF INDIA
BY NCB/BZU
REP. BY SPP
KARNATAKA HIGH COURT
BENGALURU - 560001

...RESPONDENT

(BY SMT. SHRIDEVI BHOSALE M, ADVOCATE)

THIS CRL.P IS FILED U/S 439 CR.PC (FILED U/S 483 BNSS) BY
THE ADVOCATE FOR THE PETITIONER PRAYING THAT THIS
HONOURABLE COURT MAY BE PLEASED TO ENLARGE THE
PETITIONER ON BAIL IN SPL.C.NO.166/2025 ARISING OUT OF
NCB.F.NO.48/1/13/2025/BZU, NCB, BZU, BENGALURU, FOR THE



OFFENCES PUNISHABLE UNDER SECTION 8(c) R/W. 20(b)(ii)(c), 25, 27, 27A, 28 AND 29 OF N.D.P.S. 1985, PENDING BEFORE THE HONBLE PRINCIPAL DISTRICT AND SESSIONS JUDGE AT CHIKKABALLAPURA AND ETC.

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 No.6 in Special Case No.166/2025 pending before the Court of Principal District and Sessions Judge, Chikkaballapura, arising out of NCB.F.No.48/1/13/2025/BZU, Bengaluru registered by the respondent for the offences punishable under Section 8(c) read with 20(b)(ii)(c), 25, 27, 27A, 28 and 29 of Narcotic Drugs & Psychotropic Substances Act, 1985 is before this Court in this petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 seeking regular bail.

2. Heard the learned counsel appearing for the parties.



3. Learned counsel for the petitioner submits that insofar as present case is concerned, he was arrested based on the confession statement of the co-accused. There is no seizure of any contraband article from the possession of the petitioner in the present case. In the earlier two cases, which were registered against him, he has been granted bail. Only for the said reason, he has been falsely implicated in the present case.

4. *Per contra*, learned counsel for the respondent, who has filed statement of objections opposing the bail petition, submits that the petitioner is a person with criminal antecedents and he was throughout in contact with accused No.2 in the present case. Even on the date of his arrest, he had contacted accused No.2 over phone. The trial in the case has already commenced and at this stage, if the petitioner is enlarged on bail, the progress in the case is likely to be hampered. Accordingly, she prays to dismiss the petition.



5. It is the case of the prosecution that on 04.04.2025 at about 3.00 p.m., the Police Officer attached to the respondent-Police had received credible information about accused Vighnesh P and three others, who were travelling in the vehicle bearing Registration No.CG 17 KE 3100 and AP 39 UT 7392 from Andhra Pradesh to Bengaluru, were transporting contraband articles. Acting on the said information, a raid was conducted and the aforesaid vehicles were intercepted. During the raid, the contraband article allegedly Ganja weighing 63 kgs and 700 grams was allegedly seized from accused Nos.1 to 5, which was found in the aforesaid two Cars.

6. Based on the confession statement of the arrested accused, the petitioner herein was subsequently arrested on 27.06.2025 and arrayed as accused No.6 in the present case. Investigation of the case is now completed and complaint has already been filed. In the complaint, it is stated that after the arrest of the petitioner on 27.06.2025, his house was searched on 29.06.2025.



However, no incriminating material was recovered even in his house and consequently, nil panchanama was drawn at the spot.

7. The learned counsel for the petitioner has produced material before this Court, which shows that in the earlier two criminal cases, which were registered against the petitioner, he was enlarged on bail. The Hon'ble Supreme Court in the case of **PRABHAKAR TIWARI Vs. STATE OF UTTAR PRADESH AND ANOTHER** reported in **(2020) 11 SCC 648** has held that merely for the reason that an accused is a person with antecedents, his bail application cannot be rejected, if it is otherwise found that he has made out a *prima-facie* case for grant of regular bail. Under these circumstances, I am of the opinion that, the prayer made by the petitioner for grant of regular bail needs to be answered affirmatively.

8. Accordingly, the following:



ORDER

(i) Criminal Petition is allowed.

(ii) The petitioner is directed to be enlarged on bail in Special Case No.166/2025 pending before the Court of Principal District and Sessions Judge, Chikkaballapura, arising out of NCB.F.No.48/1/13/2025/BZU, Bengaluru registered by the respondent for the offences punishable under Section 8(c) read with 20(b)(ii)(c), 25, 27, 27A, 28 and 29 of Narcotic Drugs & Psychotropic Substances Act, 1985, subject to the following conditions:

a) Petitioner shall execute a personal bond for a sum of Rs.1,00,000 (Rupees One Lakh only) with two sureties for the likesum, to the satisfaction of the jurisdictional Court;

b) The petitioner shall appear regularly on all the dates of hearing before the Trial Court unless the Trial Court exempts his appearance for valid reasons;



c) The petitioner shall not directly or indirectly threaten or tamper with the prosecution witnesses;

d) The petitioner shall not involve in similar offences in future;

Sd/-
(S VISHWAJITH SHETTY)
JUDGE