



CNR: KAHC010495292026

NC: 2026:KHC:50639
CRL.P No. 10814 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU
DATED THIS THE 17TH DAY OF SEPTEMBER, 2026
BEFORE
THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY
CRIMINAL PETITION NO. 10814 OF 2026

BETWEEN:

MOHAMMED IRFAN SHARIFF
S/O SHARIFF
AGED ABOUT 27 YEARS
R/O NO 24, 2ND CROSS
BANNIMANTAPA SIDIK NAGARA
MYSURU DIST- 570 015.

...PETITIONER

(BY SRI SYED AKBAR PASHA, ADV.)

AND:

STATE OF KARNATAKA
BY NARSIMHARAJA POLICE STATION
MYSURU DIST R/P BY STATE PUBLIC
PROSECUTOR, HIGH COURT OF
KARNATAKA, BENGALURU - 560 001.

...RESPONDENT

(BY SRI RAHUL RAI K, HCGP)

THIS CRL.P IS FILED U/S 439 CR.P.C (U/S 483 BNSS)
PRAYING TO GRANT REGULAR BAIL IN CR.NO.95/2025 REGISTERED
BY NARASIMHARAJA P.S., FOR THE OFFENCES P/U/S
8(c),22(c),25,28,29 OF NDPS ACT, PENDING BEFORE THE LEARNED
VII ADDL. DISTRICT AND SESSIONS COURT, MYSURU.

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

CORAM: HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

Digitally signed
by NANDINI M
S
Location: HIGH
COURT OF
KARNATAKA





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ORAL ORDER

1. Accused No.6 in Crime No.95/2025 registered by Narasimharaja Police Station, Mysuru, for the offences punishable under Sections 8(c), 22(C), 25, 28 and 29 of the NDPS Act, 1985, is before this Court in this petition filed under Section 483 of BNSS, 2023, seeking regular bail.
2. Heard the learned counsel for the parties.
3. FIR in Crime No.95/2025 was registered by Narasimharaja Police Station, Mysuru, for the aforesaid offences against Ajmal and others based on the first information dated 28.07.2025 received from Lakshmikanth K. Thalawar, police officer attached to Narasimharaja Police Station, Mysuru. In the said case, petitioner was produced under body warrant before the Trial Court on 25.06.2026 and subsequently, remanded the judicial custody. His bail application filed before the jurisdictional Sessions Court in Crl.Misc.No.947/2026 was rejected on 08.07.2026. Therefore, he is before this Court.
4. Learned counsel for the petitioner having reiterated the grounds urged in the petition submits that only for the reason



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that petitioner is involved in another case registered by Hunsur Rural Police Station in Crime No.151/2026, he has been produced under body warrant in the present case and has been falsely implicated. He submits that there is absolutely no material to connect the petitioner to the present crime. Prior to the alleged raid on the premises in question held on 28.07.2025, there was already a raid held on the same premises on 26.07.2025 and all the contraband articles were already seized in the said raid. He accordingly, prays to allow the petition.

5. Per contra, learned HCGP, who has opposed the petition submits that investigation of the case is under progress and the petitioner is a person with criminal antecedents. Accordingly, he prays to dismiss the petition.

6. The material made available to this Court by the learned counsel for the petitioner would go to show that Sakinaka Police Station, Maharashtra State, had registered FIR in Crime No.296/2025 on 24.04.2025 and pursuant to the confession statement of accused arrested in the said case, with the assistance of Narasimharaja Police Station, Mysuru, Sakinaka



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Police had conducted a raid on the car garage situated at Unnathi Nagar, within the limits of Narasimharaja Police Station and huge quantity of contraband article allegedly Mephedrone was recovered and seized under a panchanama dated 26.07.2025. Subsequently, on 28.07.2025, officers of Narasimharaja Police Station had raided the very same premises, which was earlier raided on 26.07.2025 and from the said premises, they had recovered totally 94.56 grams of contraband article and thereafter, FIR was registered against Ajmal and others. In the said case, petitioner was produced under body warrant on 25.06.2026 and remanded to judicial custody. Allegation against the petitioner is that he had helped the other accused persons named in Crime No.95/2025 to transport the contraband article by providing them vehicles. Except the confession statement of the petitioner, no other material is collected by the Investigation Officer with regard to the case on hand. There is no material whatsoever to show that petitioner is even remotely connected to the premises in question, which was raided on 26.07.2025 and 28.07.2025. Merely for the reason that petitioner is a person with similar



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criminal antecedents, that itself cannot be a ground to reject his bail application.

7. The material collected by the Investigation Officer is not sufficient to connect him to the present case. There is no seizure of contraband article from the possession of the petitioner in the present case and as stated earlier, investigation officer has not collected any material to connect the petitioner to the present case except his confession statement. Under the circumstances, the rigour under Section 37(1)(b) of the NDPS Act, 1985, cannot be made applicable to the petitioner in the present case. Therefore, I am of the opinion that his prayer for grant of regular bail needs to be answered affirmatively. Accordingly, the following order:-

8. The petition is allowed. The petitioner is directed to be enlarged on bail in Crime No.95/2025 registered by Narasimharaja Police Station, Mysuru, for the offences punishable under Sections 8(c), 22(C), 25, 28 and 29 of the NDPS Act, 1985, subject to the following conditions:



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- a) Petitioner shall execute a personal bond for a sum of Rs.1,00,000/- 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;
- e) The petitioner shall not leave the jurisdiction of the Trial Court without permission of the said Court until the case registered against him is disposed off.

Sd/-
(S VISHWAJITH SHETTY)
JUDGE

DN
List No.: 1 Sl No.: 44