



CNR: KAHC010521842026

NC: 2026:KHC:50723
CRL.P No. 11536 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU
DATED THIS THE 16TH DAY OF SEPTEMBER, 2026
BEFORE
THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY
CRIMINAL PETITION NO. 11536 OF 2026

BETWEEN:

JITENDRA MAJI
S/O LATE SANATHAN MAJI
AGED ABOUT 23 YEARS, R/AT160
3RD FLOOR, 1ST MAIN ROAD
8TH BLOCK, KORAMANGALA
BENGALURU CITY.

...PETITIONER

(BY SRI HARISH KUMAR M, ADV.)

AND:

1. STATE OF KARNATAKA BY
KORAMANGALA POLICE STATION
BANGALORE, REPRESENTED BY
SPECIAL PUBLIC PROSECUTOR.
2. SMT. KALPANA SHARMA
W/O CHOTU SHARMA
AGED ABOUT 40 YEARS
RESIDING AT 160 1ST MAIN ROAD
8TH BLOCK, KORAMANAGLA
BENGALURU CITY.

...RESPONDENTS

(BY SRI RAHUL RAI K, HCGP FOR R-1;
VIDE ORDER DATED 16.09.2026
NOTICE TO R-2 IS HELD SUFFICIENT)

THIS CRL.P IS FILED U/S 439 CR.PC (FILED U/S 483 BNNS)
PRAYING TO ENLARGE THE PETITIONER ON REGULAR BAIL U/S 483
OF THE CODE OF BNSS 2023. IN CRIME NO.268/2025
(SPL.C.C.NO.8/2026) AT STATE BY KORAMANGALA POLICE STATION,
FOR THE OFFENCES P/U/S 65(1) OF BNS, 2023 AND ALSO ALONG
WITH 4(2), 5(J)(ii), 5(L) AND 6(1) OF POCSO ACT 2012, WHICH IS



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PENDING BEFORE THE ADDL. CITY CIVIL AND SESSIONS JUDGE,
FTSC-3 BENGALURU CITY.

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

CORAM: HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

ORAL ORDER

1. Accused in Spl.CC.No.8/2026 pending before the Court of Addl. City Civil and Sessions Judge FTSC-III, Bengaluru City, arising out of Crime No.268/2025 registered by Koramangala Police Station, Bengaluru, for the offences punishable under Section 65(1) of BNS, 2023 and Sections 4(2), 5(J)(II), 5(I) and 6(1) of the POCSO Act, 2012, 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.268/2025 was registered by Koramangala Police Station, Bengaluru, against the petitioner herein based on the first information dated 31.10.2025, received from respondent No.2, who is the mother of the victim girl aged about 16 years. During the course of investigation of the case, petitioner was arrested on 01.11.2025 and remanded



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to judicial custody. His bail application filed before the Trial Court in Crl.Misc.No.5316/2026 was rejected on 16.07.2026. Therefore, he is before this Court.

4. Perusal of the material on record would go to show that petitioner and the victim girl were acquainted to each other. Petitioner allegedly had proposed to the victim girl and also had given a gold chain and watch as gift. It is alleged that subsequently petitioner had taken the victim girl to his room and had sexual intercourse with her and as a result, victim girl allegedly had conceived. Thereafter, FIR was registered against the petitioner based on the first information received from the mother of the victim girl.

5. Notice issued to respondent No.2 in the present case by this Court could not be served since respondent No.2 and her family members including the victim girl, have left Bengaluru and have traveled to their native place in Nepal. The victim girl, who was studying in a School in Koramangala has last attended the said School on 31.12.2025. Investigation Officer has filed a



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report to the said effect and has stated that notice could not be served on respondent No.2 for the aforesaid reason.

6. Petitioner aged 23 years having no other criminal antecedents, is in custody for the last more than 10 months. DNA test report in the present case would reveal that *since embryonic content was not detected in product of conception sent in item no. 1 of DNA 2976/2025 the paternal relationship of Jitendra Majhi @ Shubham sample blood sent in item nos. 4 and 12 of DNA 3090/2025 could not be established with product of conception sent in item no. 1 of DNA 2976/2025.* Investigation of the case is completed. Continued detention of the petitioner amongst hard core criminals would have an adverse impact on his mindset. The material on record would go to show that petitioner, who hails from Orissa State, was working as delivery boy in Big Basket Retail at Koramangala. It is trite that accused cannot be detained in custody as a preventive or precautionary measure. Under the circumstances, the following order:-



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7. The petition is allowed. The petitioner is directed to be enlarged on bail in Spl.CC.No.8/2026 pending before the Court of Addl. City Civil and Sessions Judge FTSC-III, Bengaluru City, arising out of Crime No.268/2025 registered by Koramangala Police Station, Bengaluru, for the offences punishable under Section 65(1) of BNS, 2023 and Sections 4(2), 5(J)(II), 5(I) and 6(1) of the POCSO Act, 2012, subject to the following conditions:

- a) Petitioner shall execute a personal bond for a sum of Rs.1,00,000/- with two sureties for the likesum, out of which, one shall be a local surety, 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;



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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.: 45