



CNR: KAHC010568582026

NC: 2026:KHC:50724  
CRL.P No. 12612 of 2026  
C/W CRL.P No. 12333 of 2026

**IN THE HIGH COURT OF KARNATAKA AT BENGALURU**

**DATED THIS THE 16<sup>TH</sup> DAY OF SEPTEMBER, 2026**

**BEFORE**

**THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY**

**CRIMINAL PETITION NO. 12612 OF 2026**

**C/W**

**CRIMINAL PETITION NO. 12333 OF 2026**

**IN CRL.P No. 12612/2026:**

**BETWEEN:**

NITIN KUMAR S.S  
S/O SRINIVASA S.R  
AGED ABOUT 29 YEARS  
R/ONEAR HALASWAMY MATHA  
SAKHARAYAPATNA  
KADUR TALUK - 577 548.

...PETITIONER

(BY SRI C.H. JADHAV, LEARNED SENIOR COUNSEL FOR  
SRI CHETAN JADHAV, ADV.)

**AND:**

STATE OF KARNATAKA  
BY SAKKARAYAPATNA POLICE STATION  
REPRESENTED BY STATE  
PUBLIC PROSECUTOR  
HIGH COURT BUILDING  
BANGALORE - 560 001.

...RESPONDENT

(BY SRI CHANNAPPA ERAPPA, HCGP)

THIS CRL.P IS FILED U/S 439 CR.PC (FILED U/S 483 BNNS)  
PRAYING TO RELEASE HIM ON BAIL IN SC NO.49/2026 IN CRIME  
NO.231/2025 REGISTERED BY SAKKARAYANAPATNA POLICE  
PENDING ON THE FILE OF THE LD II ADDL.DISTRICT AND SESSIONS  
JUDGE AT CHIKKAMAGALURU FOR THE OFFENCES P/U/S 103(1),  
189(2), 189(4), 191(2), 191(3), 49, 54, 55, 61(2), 324(4), 249(a),  
R/W 190 OF BNSS 2023 AND SECTION 25(1B(b) OF INDIAN ARMS  
ACT.

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by NANDINI M  
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Location: HIGH  
COURT OF  
KARNATAKA





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**IN CRL.P NO. 12333/2026:**

**BETWEEN:**

AJAY @ AJJU  
S/O LATE MAHESH  
AGED ABOUT 25 YEARS  
RESIDING AT KALMARADI  
MATA LAYOUT, SAKARAYAPATTANA  
KADUR TALUK, CHIKKAMAGALURU  
DISTRICT - 577 135.

...PETITIONER

(BY SRI DILRAJ JUDE ROHIT SEQUEIRA, ADV.)

**AND:**

THE STATE OF KARNATAKA  
REPRESENTED BY  
STATION HOUSE OFFICER  
SAKRAYAPATNA POLICE STATION  
REPRESENTED BY STATE PUBLIC  
PROSECUTOR, HIGH COURT OF  
KARNATAKA, BENGALURU - 560 001.

...RESPONDENT

(BY SRI CHANNAPA ERAPPA, HCGP)

THIS CRL.P IS FILED U/S 439 CR.PC (FILED U/S 483 BNSS)  
PRAYING TO PASS AN ORDER ENLARGING THE PETITIONER ON BAIL  
IN CONNECTION WITH CR.NO.231/2025 PERTAINING TO  
SAKRAYAPATNA P.S. FOR THE OFFENCE P/U/S 103(1), 189(2),  
189(4), 191(2), 191(3), 190, 49, 54, 55, 61(2), 324(4), 249(A) AND  
25(1B)(b) OF INDIAN ARMS ACT NOW PENDING ON THE FILE OF THE  
HONBLE COURT OF II ADDL.DIST AND SESSIONS JUDGE AT  
CHIKKAMAGALURU.

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

CORAM: HON'BLE MR. JUSTICE S VISHWAJITH SHETTY



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**ORAL ORDER**

1. Accused Nos.2 and 5 in SC No.49/2026 pending before the Court of II Addl. District and Sessions Judge, Chikkamagaluru, arising out of Crime No.231/2025 registered by Sakkaraya Patna Police Station, Chikkamagaluru, for the offences punishable under Sections 103(1), 189(2), 189(4), 191(2), 191(3), 190, 49, 54, 55, 61(2), 324(4) and 249(a) of BNS, 2023 and Section 25(1B)(b) of the Indian Arms Act, 1959, are before this Court in these two petitions filed under Sections 483 of BNSS, 2023, seeking regular bail.
2. Heard the learned counsel for the parties.
3. FIR in Crime No.231/2025 was registered by Sakkaraya Patna Police Station, Chikkamagaluru, for the offences punishable under Sections 118(1), 103(1) read with Section 3(5) of BNS, 2023 against one Sanjay Gowda and others based on the first information dated 06.12.2025 received from Varun, who is the relative of deceased Ganesha alias Ganesha Gowda. In the said case, petitioners were arrested and remanded to judicial custody. After completing investigation, charge sheet has been filed against 13 persons and the petitioners are



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arraigned as accused Nos.2 and 5 in the charge sheet. Their bail application filed before the Trial Court in S.C.No.49/2026 was rejected on 10.06.2026. Therefore, they are before this Court.

4. Perusal of the material on record would go to show that incident in question had taken place in the background of dispute between two groups regarding installing and removing of buntings relating to a certain religious function in their village. Perusal of the charge sheet material would go to show that, on 05.12.2025 at about 09.00 p.m. when accused Nos.1, 3 and CW.19 were removing the buntings which were installed on 04.12.2025 for celebrating some religious function, deceased-Ganesha, who came there along with his friends, allegedly abused accused No.1 - Sanjay Gowda using filthy language. Therefore, there was a quarrel between Ganesha and Sanjay Gowda, and their friends had pacified them.

5. Ganesha, who got humiliated because of the said incident, thereafter summoned his friends and had conspired with them for the purpose of assaulting accused No.1 and



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accordingly, they had gone in search of accused No.1-Sanjay Gowda and on their way, they had met accused Nos.3 and 5 and had enquired them about the whereabouts of accused No.1 and thereafter, attempted to assault them. In the said incident, accused No.3 has suffered certain injuries. It is only after accused No.1 came to know about the assault made by Ganesha and his friends on accused Nos.3 and 5, he and his friends gathered in the pump house of accused No.2 and secured weapons. At about 10.10 p.m., Ganesha and his friends came in their vehicle near the pump house of accused No.2, where accused No.1 and others had taken shelter. In the said incident that took place thereafter, accused No.1 - Sanjay Gowda and Ganesh had confronted each other holding weapons and tried to assault each other. In the said incident, accused No.1 - Sanjay Gowda had suffered injuries as a result of assault made by Ganesha and he fell down. It is only thereafter, accused Nos.2 and 5 had assaulted Ganesha with weapons and as a result, Ganesha had succumbed to the same subsequently.

6. Accused Nos.1, 3, 4, 6, 7, 10, 11 and 12 in the present case had approached this Court seeking regular bail in



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Crl.P.Nos.8899/2026, 9040/2026, 9194/2026, 9262/2026, 9587/2026 and 9612/2026. The said petitions were allowed by this Court by common order dated 07.08.2026. In paragraph No.9 of the said order, it is observed as follows:-

*"9. A reading of the material available on record would go to show that after accused No.1-Sanjay Gowda and deceased-Ganesha had initially fought near the bus stand at about 09.00 p.m. on 05.12.2025. Ganesha, who felt humiliated, summoned his friends, who are accused in Crime No.233/2025, with intention to assault Sanjay Gowda. After Ganesha and his friends had conspired to assault Sanjay Gowda, they had gone in search of him and on their way when they met accused Nos.3 and 5 in the present case, who are the friends of accused No.1-Sanjay Gowda, thus assaulted them with weapons. It is only after coming to know about the said assault made by Ganesha and his friends, who are accused in Crime No.233/2025, accused No.1-Sanjay Gowda and his friends, who are the accused in the present case, had gone in search of Ganesha and his friends and after they confronted each other, both the parties had attacked each other and deceased-Ganesha had managed to assault accused No.1-Sanjay*



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*Gowda with a long and as a result of said assault, Sanjay Gowda suffered grievous injuries. It is only thereafter accused Nos.2 and 5 had assaulted Ganesha with weapons and as a result, he had succumbed to the same subsequently."*

7. It is not in dispute that petitioners herein, who are arraigned as accused Nos.2 and 5 in the charge sheet filed in the present case do not have any criminal antecedents and they are said to be agriculturists by avocation. After completing investigation in Crime No.233/2025, charge sheet has been filed in the said case invoking the offence punishable under Section 109 of BNS, 2023. Accused No.1 - Sanjay Gowda had suffered grievous injuries as a result of assault made by deceased Ganesha and accused No.3 also had suffered injuries as a result of assault made by Ganesha and his friends. Accused in Crime No.233/2025 are all released on bail. Except the petitioners herein, all other accused persons in the present case have been enlarged on bail. Considering the aforesaid aspects of the matter, I am of the opinion that the prayer made by the petitioners for grant of regular bail needs to be answered affirmatively. Accordingly, the following order:-



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8. The criminal petitions are allowed. The petitioners are directed to be enlarged on bail in SC No.49/2026 pending before the Court of II Addl. District and Sessions Judge, Chikkamagaluru, arising out of Crime No.231/2025 registered by Sakkaraya Patna Police Station, Chikkamagaluru, for the offences punishable under Sections 103(1), 189(2), 189(4), 191(2), 191(3), 190, 49, 54, 55, 61(2), 324(4) and 249(a) of BNS, 2023 and Section 25(1B)(b) of the Indian Arms Act, 1959, subject to the following conditions:

- a) Petitioners shall execute a personal bond for a sum of Rs.1,00,000/- each with two sureties for the likesum, to the satisfaction of the jurisdictional Court;
- b) The petitioners shall appear regularly on all the dates of hearing before the Trial Court unless the Trial Court exempts their appearance for valid reasons;
- c) The petitioners shall not directly or indirectly threaten or tamper with the prosecution witnesses;
- d) The petitioners shall not involve in similar offences in future;



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e) The petitioners shall not leave the jurisdiction of the Trial Court without permission of the said Court until the case registered against them is disposed off.

**Sd/-**  
**(S VISHWAJITH SHETTY)**  
**JUDGE**

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List No.: 1 SI No.: 63