



CNR: KAHC010568592026

NC: 2026:KHC:50737
CRL.P No. 12579 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. 12579 OF 2026

BETWEEN:

SHANKAR SAHU
S/O LATE BRUNDAVAN SAHU,
AGED ABOUT 26 YEARS,
R/AT BEHIND SONU HOSPITAL,
GURUMURTHY LAYOUT,
HONGASANDRA, BENGALURU - 560 068.
NATIVE OF DAXINA SAHI AREA,
GADAGOINDAPUR VILLAGE,
GODAGOYINDAPUR SUB DISTRICT,
ODDISSA STATE - 761 011.

...PETITIONER

(BY SRI. MANJUNATH B. KALAHAL, ADVOCATE FOR
SRI. GIRISH R, ADVOCATE)

AND:

STATE OF KARNATAKA
BY BOMANAHALLI PS,
NOW REPRESENTED BY
STATE PUBLIC PROSECUTOR,
HIGH COURT BUILDING,
BENGALURU - 560 001.

...RESPONDENT

(BY SRI. CHANNAPPA ERAPPA, HCGP)

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by
ANNAPURNA G
Location: High
Court of
Karnataka



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THIS CRL.P IS FILED U/S 439 OF CR.PC (FILED U/S 483 BNSS) PRAYING TO PASS AN ORDER GRATING REGULAR BAIL THEREBY DIRECTING THE RESPONDENT BOMMANAHALLI POLICE TO RELEASE THE PETITIONERS IN CR.NO.138/2026 PENDING ON THE FILE OF THE XXXIII ADDL.CITY CIVIL AND SESSIONS JUDGE AND SPL.JUDGE FOR NDPS CASE AT BENGALURU CCH-33 FOR THE ALLEGED OFFENCE P/U/S 20(b)(ii)(B), 22(C) OF NDPS ACT 1985.

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.3 in Crime No.138 of 2026 registered by Bommanahalli Police Station, Bengaluru City for the offences punishable under Section 20(b)(ii)(B) and 22(C) of 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 Crime No.138 of 2026 registered by Bommanahalli Police Station, Bengaluru for the aforesaid offences against two unknown persons, based on the first information dated 07.04.2026. Subsequently, in the raid that was conducted to the spot, accused Nos.1



and 2 were apprehended and from their possession, contraband articles allegedly ganja weighing 891 grams and MDMA weighing 13 grams were recovered and seized under panchanama. Accused Nos.1 and 2 were thereafter arrested and remanded to judicial custody. Based on the confession statement of accused Nos.1 and 2, the petitioner herein was subsequently apprehended on 09.04.2026 and from his possession contraband article allegedly ganja totally weighing 3 kgs 15 grams was recovered and seized under a separate panchanama. Subsequently, the petitioner was arrested and remanded to judicial custody. His bail application filed before the jurisdictional Sessions Court in Crl.Misc.No.4004/2026 was rejected on 23.06.2026. Therefore, he is before this Court.

4. The seized contraband article from the possession of the petitioner allegedly ganja, totally weighed 3 Kg 15 grams. Therefore, it has to be considered as an intermediate quantity. Rigour under Section 37(1)(b) of the Act, therefore, cannot be made applicable in the



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present case against the petitioner. Accused Nos.1 and 2 have been granted regular bail in the present case by this Court in Crl.P.No.9425/2026 disposed of on 25.08.2026.

5. It is not in dispute that the petitioner does not have any other criminal antecedents. Under the circumstances, I am of the opinion that the prayer made by the petitioner for grant of regular bail needs to be answered affirmatively, subject to appropriate conditions. Accordingly, the following:

ORDER

(i) The Criminal Petition is allowed.

(ii) The petitioner is directed to be enlarged on bail in Crime No.138 of 2026 registered by Bommanahalli Police Station, Bengaluru City for the offences punishable under Section 20(b)(ii)(B) and 22(C) of NDPS Act, 1985, subject to the following conditions:



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- a) The petitioner shall execute 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

AMM
List No.: 1 Sl No.: 59