



CNR: KAHC010589742026

NC: 2026:KHC:51891
CRL.P No. 13203 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 21ST DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

CRIMINAL PETITION NO. 13203 OF 2026

BETWEEN:

MOHAMMED HUSAIN ERBAAZ
S/O MOHAMMED ARABI MUSBA
AGED ABOUT 24 YEARS
RESIDING AT 680/1A, NAFEESA VILLA
BUNDER ROAD, 2ND HALF CROSS
BHATKAL, UTTARA KANNADA DISTRICT
KARNATAKA - 581 320.

...PETITIONER

(BY SRI MUZAFFAR AHMED, ADV.)

AND:

UNION OF INDIA
THE SENIOR INTELLIGENCE OFFICER
DIRECTORATE OF REVENUE INTELLIGENCE
BENGALURU ZONAL UNIT, NO.8(2)P
OPP BDA COMPLEX, HBR LAYOUT
KALYANAGAR POST, BANASWADI
BANGALORE - 560 043
REP. BY SPECIAL PUBLIC PROSECUTOR
HIGH COURT OF KARNATAKA
BENGALURU - 560 001.

...RESPONDENT

(BY SRI AKASH B SHETTY, ADV.)

THIS CRL.P IS FILED U/S 439 CR.PC (FILED U/S 483 BNNS)
PRAYING TO ENLARGE THE PETITIONER ON BAIL IN CR NO.17/2026
(ARISING OUT OF (F . NO.DR/BZU/S-IV/ENQ-14 INT-NIL/2026)
REGISTERED BY THE RESPONDENT DRI FOR ALLEGED OFFENCES
P/U/S 135(1)(a) AND 135(1)(b) OF CUSTOMS ACT 1962 WHICH IS
PENDING BEFORE THE LD SPECIAL COURT FOR ECONOMIC
OFFENCES AT BENGALURU BY IMPOSING ANY CONDITIONS TO THE
SATISFACTION OF THIS HONBLE COURT.

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



CNR: KAHC010589742026

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 no.6 in Crime No.17/2026 arising out of F.No.DR/BZU/S-IV/ENQ-14 (INT-NIL)/2026 registered by the respondent for the offences punishable under Sections 135(1)(a) & 13(1)(b) of Customs Act, 1962, 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. Learned Counsel for the petitioner submits that petitioner was arrested in the present case on 22.07.2026 and remanded to judicial custody on 23.07.2026. As on date, charge sheet has not been filed in the present case, and therefore, petitioner is entitled for statutory bail.
4. Learned Counsel for the respondent does not dispute the aforesaid submission.



CNR: KAHC010589742026

5. Perusal of the material on record would go to show that accused nos.1 to 5 who were arrested in the present case were also granted statutory bail earlier, since investigation was not completed and final report was not filed as against them within the statutory period of 60 days.

6. Section 187(3) of BNSS, 2023, reads as under:

"(3) The Magistrate may authorise the detention of the accused person, beyond the period of fifteen days, if he is satisfied that adequate grounds exist for doing so, but no Magistrate shall authorise the detention of the accused person in custody under this sub-section for a total period exceeding-

(i) ninety days, where the investigation relates to an offence punishable with death, imprisonment for life or imprisonment for a term of ten years or more;

(ii) sixty days, where the investigation relates to any other offence,

and, on the expiry of the said period of ninety days, or sixty days, as the case may be, the accused person shall be released on bail if he is prepared to and does furnish bail, and every person released on bail under this sub-section shall be deemed to be so released under the provisions of XXXV for the purposes of that Chapter."



CNR: KAHC010589742026

7. Even in the case of the petitioner, though the period of 60 days from the date of his remand to custody has expired, till date charge sheet is not filed. Therefore, as a matter of right, petitioner is entitled for grant of statutory bail. Accordingly, the following order:

8. The petition is allowed. The petitioner is directed to be enlarged on bail in Crime No.17/2026 arising out of F.No.DR/BZU/S-IV/ENQ-14 (INT-NIL)/2026 registered by the respondent for the offences punishable under Sections 135(1)(a) & 13(1)(b) of Customs Act, 1962, subject to the following conditions:

a) 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;



**NC: 2026:KHC:51891
CRL.P No. 13203 of 2026**

CNR: KAHC010589742026

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**

KK