



CNR: KAHC010606132026

NC: 2026:KHC:52176
CRL.P No. 13429 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU
DATED THIS THE 22ND DAY OF SEPTEMBER, 2026
BEFORE
THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY
CRIMINAL PETITION NO. 13429 OF 2026

BETWEEN:

1. SRI SARFARAZ ALI KHAN
S/O ANWAR BASHA
AGED ABOUT 45 YEARS
OCC BUSINESSMAN
R/AT 529/4, 5TH MAIN
P.J.BADAVANE
DAVANAGERE DISTRICT - 577 002.
2. BIBI KHUTEJATAL KUBRA KHANUM
W/O SARFAZ ALI KHAN
AGED ABOUT 41 YEARS
OCC HOUSEHOLD
R/O 529/4, 5TH MAIN
P.J.BADAVANE, DAVANAGERE
DISTRICT - 577 002.

...PETITIONERS

(BY SRI DINESHKUMAR RAO K, ADV.)

AND:

THE STATE OF KARNATAKA
BY AZAD NAGARA POLICE STATION
DAVANAGERE - 577 004.

...RESPONDENT

(BY SRI RAHUL RAI K, HCGP)

THIS CRL.P IS FILED U/S 438 CR.PC (FILED U/S 482 BNSS)
PRAYING TO ENLARGE PETITIONERS ON ANTICIPATORY BAIL IN THE
EVENT OF THEIR ARREST IN CRIME NO.44/2026 OF AZAD NAGAR
POLICE STATION, DAVANAGERE, (REGISTERED FOR OFFENCES
PUNISHABLE UNDER SECTIONS 190, 314, 318, 336, 316, 319, 338,
61, 341 OF BNS OF 2023) AND THE SAME IS PENDING ON THE FILE
OF 4 TH ADDL. CIVIL JUDGE AND JMFC COURT, DAVANAGERE DIST.
DAVANAGERE.

Digitally signed
by NANDINI M
S

Location: HIGH
COURT OF
KARNATAKA



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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 nos.6 & 7 in Crime No.44/2026 registered by Azad Nagar Police Station, Davanagere for the offences punishable under Sections 190, 314, 318, 336, 316, 319, 338, 61 & 341 of BNS 2023, are before this Court in this petition filed under Section 482 of BNSS 2023 seeking anticipatory bail.
2. Heard the learned Counsel for the parties.
3. FIR in Crime No.44/2026 was registered by Azad Nagar Police Station, Davanagere, for the aforesaid offences against one Subramani.R. and others, based on the first information dated 27.02.2026 received from Sri Rohith.P.A., authorized representative of ICICI Bank, Davanagere branch. Apprehending arrest in the said case, petitioners had filed Crl. Misc. No.327/2026 before the jurisdictional Sessions Court, which was rejected on 12.05.2026. Therefore, they are before this Court.



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4. A reading of the first information would reveal that accused nos.1 to 3 named in the FIR are employees of the complainant-bank and accused nos.4, 6, 8 & 10 are the borrowers. Accused nos.5, 7, 9 & 11 are the co-applicants to the loan borrowed by accused nos.4, 6, 8 & 10. The allegation in the first information is that, without properly scrutinizing the loan documents of accused nos.4, 6, 8 & 10, the Officers of the Bank, namely, accused Nos.1 to 3 had sanctioned loans totally to the tune of Rs.2,07,00,000/- to the aforesaid borrowers and thereby cheated the bank. It is further alleged that a portion of the amount which was sanctioned to the aforesaid borrowers was subsequently found to have been transferred to the bank account of accused nos.12 to 14.

5. Petitioners herein are borrowers and co-borrowers of one such loan sanctioned by officers of bank after scrutinizing their documents. Learned Counsel for the petitioners has submitted that the petitioners do not have any criminal antecedents and they are ready and willing to co-operate with the police for the purpose of investigation. Under these circumstances, I am of the opinion that the prayer made by the petitioners for grant of



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anticipatory bail needs to be answered affirmatively subject to appropriate conditions. Accordingly, the following order:

6. Petition is allowed. The respondent - Police or any other police in the State of Karnataka are directed to release the petitioners in the event of their arrest in Crime No.44/2026 registered by Azad Nagar Police Station, Davanagere for the offences punishable under Sections 190, 314, 318, 336, 316, 319, 338, 61, 341 of BNS 2023, subject to the following conditions:

- a) The petitioners shall appear before the Investigating Officer within 15 days from the date of receipt of the copy of this order and 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 investigating officer.
- b) The petitioners shall regularly appear before the Trial Court without fail unless exempted by the Trial Court for valid reasons.
- c) The petitioners shall not tamper with the prosecution witness and they shall co-operate



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with the police for investigation and appear before them whenever called upon.

d) The petitioners shall not involve in similar offences in future.

Sd/-
(S VISHWAJITH SHETTY)
JUDGE

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