



CNR: KAHC010619532026

NC: 2026:KHC:55089
CRL.P No. 13937 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 5TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

CRIMINAL PETITION NO. 13937 OF 2026

BETWEEN:

BABU LAL
S/O LATE SANVATA RAM,
AGED ABOUT 62 YEARS,
R/AT NO.26/29, 2ND FLOOR,
WARD NO.130, DEVARAJ URS LAYOUT,
NAGADEVANAHALLI, KENGERI SATELLITE TOWN,
BENGALURU - 560 056.
PERMANENT R/OF MOKH TARA VILLAGE,
SEVRA POST, RANIWARA TALUK,
JALORE DISTRICT, RAJASTHAN - 343 040,
AADHAAR NO: 5367 9588 0327.

...PETITIONER

(BY SRI. JAY KISHAN SHARMA, ADVOCATE)

AND:

THE STATE OF KARNATAKA
BY MAHALAKSHMIPURAM POLICE STATION,
BENGALURU - 560 086,
REPRESENTED BY STATE PUBLIC PROSECUTOR,
HIGH COURT OF KARNATAKA,
BANGALORE - 560 001.

...RESPONDENT

(BY SRI. RAHUL RAI K, HCGP)

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





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THIS CRL.P IS FILED U/S 439 OF CR.P.C (U/S 483 BNSS)
PRAYING TO ALLOW THE PETITION AND BE PLEASED TO
GRANT REGULAR BAIL TO THE PETITIONER IN
CR.NO.201/2026 REGISTERED BY THE RESPONDENT IN
MAHALAKSHMIPURAM P.S., BENGALURU, FOR THE OFFENCES
P/U/S 8(c), 17(b), 18(b), 25 OF NDPS ACT, 1985, PENDING
BEFORE THE LEARNED 32nd ACJM, AT BENGALURU.

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.1 in Crime No.201/2026 registered by
Mahalakshampuram Police Station, Bengaluru City, for the
offences punishable under Sections 8(c), 17(b), 18(b) and
25 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.



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3. FIR in Crime No.201/2026 was registered by Mahalakshmipuram Police Station, Bengaluru City, for the aforesaid offences against unknown person, based on the first information dated 07.08.2026 received from Akshatha, Police Officer attached to Mahalakshmipuram Police Station, Bengaluru City. In the said case, the petitioner was arrested on 07.08.2026 and subsequently remanded to judicial custody. His bail application filed before the jurisdictional Sessions Court and Special Court in CrI.Misc.No.8315/2026 was rejected on 28.08.2026. Therefore, he is before this Court.

4. Learned counsel for the petitioner having reiterated the grounds of the petition, submits that the petitioner, aged 62 years, is in custody for the last nearly two months. The seized contraband article in the present case is of intermediate quantity. Merely for the reason that the petitioner is a person with criminal antecedents, his bail application cannot be rejected and in support of his argument, he has placed reliance on the judgment of the



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High Court of Himachal Pradesh, Shimla, in ***Cr.MP(M)No.2168/2020***, disposed of on 01.01.2021, in the case of ***SUNNY KAPOOR @ HONEY Vs. STATE OF HIMACHAL PRADESH***. Accordingly, he prays to allow the petition.

5. *Per contra*, learned High Court Government Pleader, who has opposed the petition, submits that in addition to the present case, the petitioner is involved in five other criminal cases registered for offences punishable under the provisions of NDPS Act, 1985. Every time he is granted bail, he is found indulging in committing similar offences. Investigation of the case is still under progress. Involvement of other accused persons in committing the crime is yet to be ascertained. Accordingly, he prays to dismiss the petition.

6. A reading of the first information as well as other documents made available to this Court reveals that, based on the credible information received, FIR was



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registered in the present case against unknown person and in the raid that was conducted subsequently, the petitioner was apprehended and from his possession, the contraband article allegedly opium totally weighing 1 kg 65 grams was recovered and seized under a Panchanama. The seized contraband article in the present case is of intermediate quantity.

7. Learned High Court Government Pleader has brought to the notice of this Court that the petitioner is a habitual offender and he is involved in five other criminal cases registered by Malleshwaram Police Station, Girinagar Police Station and Electronic City Police Station for the offences punishable under the NDPS Act, 1985. He has also brought to the notice of this Court that the petitioner hails from Rajasthan and similar cases are registered against him even in Rajasthan state and particulars of the same are yet to be ascertained.



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8. In view of the aforesaid, merely for the reason that the seized contraband article is of intermediate quantity, petitioner cannot be granted bail, more so when the investigation of the case is still under progress. The source of the contraband article and the involvement of other accused persons in the crime is yet to be ascertained by the Investigation Officer.

9. The judgment in the case of **SUNNY KAPOOR @ HONEY** (*supra*) has been rendered by the High Court of Himachal Pradesh, having regard to the facts and circumstances of the said case and no law has been laid down in the said case that an accused involved in a criminal case registered for the offences punishable under the provisions of the NDPS Act, 1985, wherein, the seized contraband article is of intermediate quantity, has to be granted bail.

10. Under the circumstances, I am of the opinion that the prayer made by the petitioner for grant of regular



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bail at this stage is liable to be rejected. Accordingly, the petition is ***dismissed***.

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

SHS
List No.: 1 SI No.: 69