



CNR: KAHC010620432026

NC: 2026:KHC:55472
CRL.P No. 13910 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 1ST DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

CRIMINAL PETITION NO. 13910 OF 2026

BETWEEN:

SRI MINTU SHARMA @ PINTU
AGED 26 YEARS
S/O SRI DHWIJAN SHARMA
RESIDING NEAR RAMAN POLYTECHNIC
COLLEGE, VINAYAKA NAGAR
KAMAKSHIPALYA, BENGALURU - 560 079.

...PETITIONER

(BY SRI N. JAGADISH BALIGA, ADV.)

AND:

1. THE STATE OF KARNATAKA
BY KAMAKSHIPALYA POLICE STATION
BENGALURU - 560 079
REPRESENTED BY THE STATE
PUBLIC PROSECUTOR
HIGH COURT OF KARNATAKA
BENGALURU - 560 001.

2. SRI. PRADEEP DEBNATH
AGED 38 YEARS
S/O SRI NIVASH DEBNATH
RESIDING AT NO. 62/B, 4TH B CROSS
VINAYAKA NAGARA, KAMAKSHIPALYA
BENGALURU.

...RESPONDENTS

(BY SRI CHANNAPPA ERAPPA, HCGP FOR R-1;
R-2 V/O 01.10.2026, NOTICE HELD SUFFICIENT)

THIS CRL.P IS FILED U/S.439 (FILED U/S.483 BNSS) CR.P.C
PRAYING TO DIRECT THE PETITIONER TO BE ENLARGED ON
REGULAR BAIL IN CRIME NO.558/2025 OF KAMAKSHIPALYA POLICE
STATION REGISTERED IN SPL.C.NO.155/2026 ON THE FILE OF THE
ADDL CITY CIVIL AND SESSIONS JUDGE, FTSC V BENGALURU FOR

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



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THE OFFENCE P/US/ 87,64(2)(m), OF BNS 2023 AND SEC.5(j)(ii),5(L) AND 6 OF POCSO ACT.

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 in Special Case No.155/2026 pending before the Court of Addl. City Civil and Sessions Judge and FTSC I, Bengaluru, arising out of Crime No.558/2025 registered by Kamakshipalya Police Station, Bengaluru, for the offences punishable under Sections 64(2)(m) and 87 of BNS, 2023 and Sections 5(J)(II), 5(L) and 6 of the POCSO Act, 2012, is before this Court in this petition filed under Section 483 of BNSS, 2023, seeking regular bail.

2. Heard the learned counsel for the petitioner and learned HCGP for respondent No.1. Respondent No.2, who is served in the matter has remained unrepresented before this Court.

3. FIR in Crime No.558/2026 was registered by Kamakshipalya Police Station, Bengaluru, for the offence punishable under Section 137(2) of BNS, 2023, based on the first information dated 22.11.2025 received from respondent



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No.2, who is the father of the victim girl. In the said case, petitioner was remanded to judicial custody on 08.01.2026. After completing investigation, charge sheet is filed against him for the aforesaid offences. His bail application filed before the Trial Court in Crl.Misc.No.2968/2026 was rejected on 17.07.2026. Therefore, he is before this Court.

4. In the first information submitted on 22.11.2025 by the father of the victim girl, he has stated that his daughter was found missing from their house on 21.11.2025. Efforts made to trace her had failed and her mobile phone was found switched off. It is under these circumstances, on the next day, he had approached the police and FIR was registered against unknown person for the offence punishable under Section 137(2) of BNS, 2023. During the course of investigation, petitioner and the victim girl were traced together at Kooch Behar in West Bengal. Victim girl was brought back to Bengaluru. However, petitioner allegedly had managed to escape and subsequently, he was arrested on 04.01.2026 and brought to Bengaluru on 08.01.2026, produced before the Court and remanded to judicial custody.



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5. Statement of the victim girl after she was brought back to Bengaluru was recorded before the jurisdictional Magistrate on 10.12.2025. She has stated that her parents hail from West Bengal and they had come to Bengaluru about two years earlier. Her parents were working in garments factory and she got acquainted to the petitioner, who was also working in the said factory. She has stated that petitioner is her boyfriend and he used to visit their house in the absence of her parents. She has alleged that on 14.10.2025, 24.10.2025 and 30.10.2025, petitioner had visited her house in the absence of her parents and had sexual intercourse with her without her consent. However, she had not informed the same to her parents. Subsequently, on 21.11.2025, since petitioner had informed her that he would be marrying her, she had left her house and had accompanied him and traveled to Kolkata from Bengaluru Airport in a flight. Thereafter, they had traveled to Siyalda in West Bengal and subsequently, to Koyampadi, where the victim girl and the petitioner were traced by the police and subsequently she was brought back to Bengaluru.



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6. From a reading of the statement of the victim girl under Section 183 of BNSS, 2023, it *prima facie* appears that she and the petitioner were in love and they had sexual intercourse in her house when her parents were not present in the house. Subsequently, they had gone together to West Bengal and stayed there for nearly one week. Victim girl has stated that during the said period, petitioner did not have sexual intercourse with her. Petitioner aged 26 years, having no other criminal antecedents is in custody for the last nearly nine months. Investigation of the case is already completed. Records would reveal that the date of birth of the victim girl is 02.03.2009. Considering the aforesaid aspects of the matter and also the age of the parties, I am of the opinion that the prayer made by the petitioner for grant of regular bail needs to be answered affirmatively. Accordingly, the following order:-

7. The petition is allowed. The petitioner is directed to be enlarged on bail in Special Case No.155/2026 pending before the Court of Addl. City Civil and Sessions Judge and FTSC I, Bengaluru, arising out of Crime No.558/2025 registered by Kamakshipalya Police Station, Bengaluru, for the offences



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punishable under Sections 64(2)(m) and 87 of BNS, 2023 and Sections 5(J)(II), 5(L) and 6 of the POCSO Act, 2012, subject to the following conditions:

- a) Petitioner shall execute a 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

DN/List No.: 1 SI No.: 60