



CNR: KAHC010623992026

NC: 2026:KHC:54023
CRL.P No. 13865 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 25TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

CRIMINAL PETITION NO. 13865 OF 2026

BETWEEN:

MR. KIRAN KUAMR H
(IN FIR WRONGLY MENTIONED AS KIRAN GOWDA)
S/O HUCH BYREGOWDA,
AGED ABOUT 42 YEARS,
R/AT NO.120, 2ND MAIN,
1ST CROSS, SINGAPURA LAST BUS STOP
SINGAPURA, BENGALURU - 560 097.

...PETITIONER

(BY SRI. VENKATESHA M.S, ADVOCATE FOR
SRI. SHANKAR H.S, ADVOCATE)

AND:

STATE OF KARNATAKA
BY SADASHIVANAGAR POLICE STATION,
REP. BY STATE PUBLIC PROSECUTOR,
HIGH COURT BUILDING
BENGALURU - 560 001.

...RESPONDENT

(BY SRI. CHANNAPPA ERAPPA, HCGP)

THIS CRL.P IS FILED U/S.438 (FILED U/S.482 BNSS) OF
CR.P.C PRAYING TO ENLARGE THE PETITIONER ON
ANTICIPATORY BAIL IN THE EVENT OF HIS ARREST IN CRIME
NO.316/2025 OF SADASHIVANAGARA POLICE STATION,



CNR: KAHC010623992026

NC: 2026:KHC:54023
CRL.P No. 13865 of 2026

PENDING ON THE FILE OF THE 1st ADDL CMM, COURT, NRUPATHUNGA ROAD, BENGLAURU CITY REGISTERED FOR THE OFFENCE P/US/ 21(b) OF NDPS 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

Accused No.1 in Crime No.316 of 2025 registered by Sadashivanagar Police Station, Bengaluru City for the offence punishable under Section 21(b) of NDPS Act, 1985, is 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.316 of 2025 was registered by Sadashivanagar Police Station, Bengaluru City for the aforesaid offence against the petitioner and another, based on the first information dated 27.12.2025 received from Jameer Awati. Apprehending arrest in the case, the petitioner had filed Crl.Misc.No.6523 of 2026 before the



CNR: KAHC010623992026

NC: 2026:KHC:54023
CRL.P No. 13865 of 2026

jurisdictional Sessions Court, which was rejected on 30.07.2026. Therefore, he is before this Court.

4. A reading of the first information in the present case would reveal that based on the credible information received, the first informant and the staff attached to Sadashivanagar Police Station had apprehended accused No.2/Krishna and from his possession contraband article allegedly MDMA totally weighing 1.02 grams was recovered and seized under a panchanama. During the course of interrogation, accused No.2 had stated that the said contraband article was supplied to the him by the petitioner herein. It is under these circumstances in the FIR, the petitioner is arrayed as accused No.1 and the aforesaid Krishna is arrayed as accused No.2. Accused No.2/Krishna, who was arrested in the present case has been granted regular bail by the Co-ordinate bench of this Court in Crl.P.No.1586 of 2026 vide order dated 08.04.2026.



CNR: KAHC010623992026

NC: 2026:KHC:54023
CRL.P No. 13865 of 2026

5. It is not in dispute that petitioner has no other criminal antecedents. Except the confession statement of accused No.2 there is no other material against the petitioner to connect him to the crime.

6. The Hon'ble Supreme Court in the case of ***Tofan Singh v. State of Tamil Nadu*** reported in **(2021) 4 SCC 1**, has observed that a confession statement made by co-accused, recorded under Section 67 of the NDPS Act, 1985 is not admissible evidence. Petitioner has undertaken to co-operate with the police for the purpose of investigation.

7. Under these circumstances, I am of the opinion that the prayer made by the petitioner for grant of anticipatory bail needs to be answered affirmatively subject to appropriate conditions. Accordingly, the following :



CNR: KAHC010623992026

NC: 2026:KHC:54023
CRL.P No. 13865 of 2026

ORDER

(i) The criminal petition is allowed. The respondent - Police or any other police in the State of Karnataka are directed to release the petitioner in the event of his arrest in Crime No.316 of 2025 registered by Sadashivanagar Police Station, Bengaluru City for the offence punishable under Section 21(b) of NDPS Act, 1985, subject to the following conditions:

- a) Petitioner 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/- with two sureties for the likesum to the satisfaction of the investigating officer.
- b) Petitioner shall regularly appear before the Trial Court without fail unless exempted by the Trial Court for valid reasons.



NC: 2026:KHC:54023
CRL.P No. 13865 of 2026

CNR: KAHC010623992026

c) Petitioner shall not tamper with the prosecution witness and he shall co-operate with the police for investigation and appear before them whenever called upon.

d) Petitioner shall not involve in similar offences in future.

Sd/-
(S VISHWAJITH SHETTY)
JUDGE

AMM
List No.: 1 Sl No.: 61