IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 16TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE S RACHAIAH

CRIMINAL PETITION NO. 1473 OF 2026 (439(Cr.PC) / 483(BNSS)

BETWEEN:

1. VIKAS V
   S/O VENKATESH MURTHY N,
   AGED ABOUT 20 YEARS
   RESIDING AT NO. 375,
   GROUND FLOOR,
   SINDHU RIVER ROAD,
   NEAR ANTH ENTERPRISE,
   BHURDHAVAN NAGAR,
   SRINAGAR,
   BANGALORE-560050.

2. SHIVANANJU @ SHIVU,
   S/O YUVARAJ,
   AGED ABOUT 19 YEARS,
   RESIDING AT 62/3,
   2ND MAIN ROAD,
   5TH CROSS, VITTAL NAGAR,
   CHAMARAJAPET,
   BANGALORE -560026.

Digitally signed by SREEDHARAN BANGALORE SUSHMA LAKSHMI
Location: High Court of Karnataka

…PETITIONERS

(BY SRI. VEERANNA G TIGADI., ADVOCATE)

AND:

STATE OF KARNATAKA
REP BY
HANUMANTHANAGAR
POLICE STATION,
REP BY STATE PUBLIC PROSECUTOR,
HIGH COURT,
BANGALORE-560001.

…RESPONDENT

(BY SMT.ANITHA GIRISH N, HCGP)

THIS CRL.P IS FILED UNDER SECTION 439 CR.PC (FILED U/S 483 BNNS) PRAYING TO ENLARGE THE PETITIONERS ON BAIL IN CR.NO 18/2026, FOR THE OFFENCE PUNISHABLE UNDER SECTIONS 109(1) AND 3(5) OF BHARATIYA NYAYA SANHITA (BNS), ON THE FILE OF THE HANUMATHANAGAR POLICE STATION, WHICH IS PENDING BEFORE THE HONBLE 37TH ADDITIONAL CHIEF JUDICIAL MAGISTRATE COURT, AT BANGALORE.

THIS PETITION, COMING ON FOR ORDERS, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE S RACHAIAH

ORAL ORDER

The petitioners/accused Nos.1 and 2 are before this Court seeking for regular bail in Crime No.18/2026 of respondent/police for the offences punishable under Sections 109(1) and 3(5) of Bharatiya Nyaya Sanita, 2023 (BNS).

2. The case of the prosecution is that the complainant was working as a delivery boy. On 13.01.2026, at about 12:00 noon, he received a message to pick up a parcel. However, when he was going to the destination, the order was cancelled. Therefore, he decided to meet his friend, Srujan and he was on the way to Anchepalya. In the meantime, it happened to meet Kaushik, who was coming in his auto. The complainant and Kaushik, after having decided to meet the friend, Srujan, they were going to Anchepalya in the said auto. When they reached third cross of Vittalnagar, four persons intercepted the said auto, and started abusing and assaulting the said Kaushik. After the incident was over, both the complainant and Kaushik left the place in the said auto.

3. On 14.01.2026, at about 12:00 noon, the friend of the complainant namely, Dayanand, came to his house. Akash was also present with them. After some time, they decided to leave the bike for repair at Kiran's garage situated at Srinagar. While they were standing near the garage, the petitioner and others, holding deadly weapons in their hands, started assaulting the complainant and his friends and caused injuries to him. A complaint was thereafter lodged against five persons and others.

4. The respondent/police have registered a case and conducted an investigation. The investigation is under progress.

5. The submission of the learned counsel for the petitioners is that the petitioners are innocent of the alleged offences, and they have been falsely implicated in this case. The complainant has taken treatment in KIMS Hospital as OPD patient, and later, he came to the police station and lodged the complaint. The accused have no criminal

antecedents. They are the permanent residents of the addresses mentioned in the case title. They are aged about 19 and 20 years respectively and are students. They will abide by the conditions to be imposed by this Court in the event of their release on bail. Making the submissions, the learned counsel for the petitioner prays to allow the petition.

6. Per contra, the learned High Court Government Pleader for respondent/State vehemently submitted that the petitioners are arrayed as accused Nos. 1 and 2 in this case. The alleged offence is punishable under Section 109 of BNS, 2023. The offence is serious in nature. If the petitioners are enlarged on bail, there may be chances of committing similar offences. Hence, it is not appropriate to grant them bail. Hence, he prays to reject the partition.

7. Heard the learned counsel for the respective parties. Perused the averments made in the complaint.

8. The alleged incident occurred on 14.01.2026. On the same day, after obtaining the treatment, the complainant

lodged the complaint. Although, it is alleged that the assault was on the vital part of the body of the complainant, the fact remains that the injuries sustained to the complainant are not severe in nature. Moreover, the petitioners are the students. Having considered the nature and circumstances of the case, without averting the merit of the case, it is appropriate to grant them bail by imposing suitable conditions by this Court. Hence, I proceed to pass the following:

ORDER

i) The petition is allowed.

ii) The petitioners are ordered to be enlarged on bail in Crime No.18/2026 of respondent/police for the offences punishable under Sections 109(1) and 3(5) of Bharatiya Nyaya Sanita, 2023, pending on the file of the 37th Additional Chief Judicial Magistrate Court at Bengaluru on executing personal bond in a sum of Rs.1,00,000/- each with one surety each for the like sum to the satisfaction of the Trial Court.

iii) The petitioners shall not threaten or tamper the prosecution witnesses nor hamper the proceedings of the Court.

iv) The petitioner shall appear before the Trial Court on all hearing dates without fail.

v) The petitioner shall not indulge in any criminal cases till disposal of the case.

vi) The petitioners shall cooperate for the investigation as and when it is required.

In case, the petitioners violate any of the bail conditions as stated above, liberty is reserved to the prosecution to file necessary application for cancellation of bail.

Sd/-
(S RACHAIAH)
JUDGE

BSS/BKM
List No.: 1 Sl No.: 28