HC-KAR

NC: 2026:KHC:21225
CRL.P No. 3878 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 17TH DAY OF APRIL, 2026

BEFORE

THE HON'BLE MR. JUSTICE S RACHAIAH

CRIMINAL PETITION NO. 3878 OF 2026

(439(Cr.PC)/483(BNSS))

BETWEEN:

ASHOK V

S/O VENKATABHOVI.

AGED ABOUT 41 YEARS,

RESIDING AT NO.525 13TH CROSS,

TELECOM LAYOUT, JAKKUR,

BANGALORE – 560 064.

Digitally signed by PAVITHRA N
Location: High Court of Karnataka

PERMANENTLY R/AT NO.132/1,

BETTA KADURU VILLAGE

KANCHAGANAHALU POST

CHANNAGIRI TALUK

DAVANAGERE DISTRICT – 577 215.

…PETITIONER

(BY SRI. VISHNUMURTHY, ADVOCATE)

AND:

STATE BY KARNATAKA

BY AMRUTHAHALLI P.S

HIGH COURT OF KARNATAKA

BANGALORE – 560 009.

R/P BY SPP

HIGH COURT OF KARNATAKA

BANGALORE - 560 009

…RESPONDENT

(BY Ms. ASMA KOUSER., ADDL. SPP)

THIS CRL.P FILED U/S.439 (FILED U/S.483 BNSS) CR.P.C BY THE ADVOCATE FOR THE PETITIONER PRAYING TO ENLARGE HIM ON BAIL IN CR.NO.46/2026 REGISTERED BY AMRUTHAHALLY POLICE STATION FOR AN OFFENCE P/U/S 8(c), 22(b) AND 22(c) OF THE NDPS ACT 1985 PENDING ON THE FILE OF THE 41st ACJM COURT BENGALURU.

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

CORAM: HON'BLE MR. JUSTICE S RACHAIAH

ORAL ORDER

The petitioner is before this seeking regular bail in Cr.No.46/2026 registered by the respondent-Police for the offence under Sections 8(c) and 22 of Narcotic Drugs and Psychotropic Substances Act, 1985.

Brief facts of the case:

2. The case of the prosecution is that on 06.02.2026 around 05.00 pm, the complainant has received an information that the petitioner was having contraband in his possession and trying to sell the same to the public. Immediately, the complainant visited the spot and found one person was trying to contact the public by showing his black colour bag and also trying to sell the contraband. Immediately, the petitioner has been apprehended and the contraband has been seized. Thereafter, a case has been registered as stated supra.

3. Heard Sri.Vishnumuthy, learned counsel for the petitioner and Ms. Asma Kouser, learned Additional State Public Prosecutor for respondent-State.

4. The submission of the learned counsel for the petitioner is that the alleged contraband stated to be seized from the petitioner is not a commercial quantity. The allegations made against the petitioner is baseless and bald. The procedure contemplated for seizure of contraband has not been followed. There are no criminal antecedents against the petitioner. In fact, he is M.Tech graduate working in a private company and he is no way concerned to the allegations made against him. Therefore, he may be enlarged on bail by imposing suitable conditions. He will abide the conditions imposed by this Court in the event of his release on bail. Making such submissions, learned counsel for the petitioner prays to allow the petition.

5. *Per contra*, learned Additional State Public Prosecutor vehemently submitted that the petitioner has committed heinous offence which is detrimental to the society. If the petitioner is enlarged on bail, there may be chances of committing similar offences and also he may not be available to face the trial. Making such submissions, learned Additional State Public Prosecutor prays to reject the petition.

6. Heard the learned counsel for the respective parties and perused the averments of the complaint and also remand application. It appears that, the petitioner allegedly selling the contraband to the public. However, no criminal antecedents either of similar in nature or different against the petitioner. Having considered the said aspect, it is appropriate to grant him bail by imposing suitable conditions that would take care of the apprehension of the prosecution.

7. Hence, I proceed to pass the following:

ORDER

(i) The petition is ***allowed.***

(ii) The petitioner is ordered to be enlarged on bail in Cr.No.46/2026 registered by the respondent-Police for the offence under Sections 8(c) and 22 of Narcotic Drugs and Psychotropic Substances Act, 1985 on executing personal bond in a sum of Rs.1,00,000/- (Rupees One Lakh only) with one surety for the likesum to the satisfaction of the Trial Court.

(iii) The petitioner shall not threaten or tamper with 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.

In case, the petitioner violates 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

NR/-
List No.: 1 Sl No.: 33