HC-KAR

NC: 2026:KHC:61734
CRL.P No. 12209 of 2026

CNR: KAHC010549762026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 5TH DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

CRIMINAL PETITION NO. 12209 OF 2026

BETWEEN:

ASHIS KUMAR @ ASHIK KUMAR
S/O JAYRAM RAJBANSHI
AGED ABOUT 22 YEARS
RESIDENT OF CHARAN BUILDING
NEAR WATER TANK
KACHANAYAKANAHALLI
JIGANI HOBLI, ANEKAL TALUK
BENGALURU - 560 099
PERMANENT RESIDENT
RAHUL NAGAR, NARHAT P.S
NAWADA DISTRICT
BIHAR STATE - 805 103
(ACCUSED IS IN JC)

...PETITIONER

(BY SRI LOKESH R, ADV.)

AND:

Digitally signed by NANDINI D
Location: HIGH COURT OF KARNATAKA

1. STATE OF KARNATAKA BY
HEBBAGODI P. S
REP. BY STATE PUBLIC PROSECUTOR
PRL. DISTRICT AND SESSIONS JUDGE
BENGALURU RURAL
BENGALURU - 560 009.

2. NIRMAL RAVIDAS
S/O BINDESHVAR RAVIDAS
AGED ABOUT 60 YEARS
R/AT BELARU POST AND VILLAGE
BHADSENI POST, CHITARGHATTI
PANCHYAT, NAWADA DISTRICT
BIHAR STATE - 805 129.

...RESPONDENTS

(BY SRI CHANNAPPA ERAPPA, HCGP FOR R-1;

SRI VINOD N, ADV., FOR
SRI MANU CHOWDHARI C, ADV., R-2)

THIS CRL.P IS FILED U/S 439 CR.PC (FILED U/S 483 BNNS) PRAYING TO ENLARGE THE PETITIONERS ON BAIL IN SPL.C NO.765/2025 (CR NO.363/2025) AND FOR THE ALLEGED OFFENCES P/U/S 64, 137(2), 103(2), 238, 61, 190 OF BNS 2023 AND 3 AND 4 OF POCSO ACT 2012 REGISTERED BY RESPONDENT POLICE NOW PENDING ON THE FILE OF THE HONBLE ADDL.AND SESSIONS JUDGE (FTSC-III) BENGALURU RURAL 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

1. Accused No.1 in Special Case No.765/2025 pending before the Court of Addl. Sessions Judge (FTSC-III), Bengaluru Rural District, arising out of Crime No.363/2025 registered by Hebbagodi Police Station, Bengaluru, for the offences punishable under Sections 64, 137(2), 103(2), 238, 61 and 190 of BNS, 2023 and Sections 3 and 4 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 parties.

3. FIR in Crime No.363/2025 was registered by Hebbagodi Police Station, Bengaluru, against petitioner and others based

on the first information dated 12.07.2025 received from Satish, police officer attached to Surya City Police Station, Bengaluru Rural District. In the said case, petitioner was arrested and remanded to judicial custody. After completing investigation, charge sheet is filed against six persons. Bail application filed by the petitioner before the Trial Court in Crl.Misc.No.795/2026 was rejected on 16.06.2026. Therefore, he is before this Court.

4. Perusal of the material on record would go to show that petitioner hails from Nawada District in Bihar State. A reading of the first information would reveal that on 21.05.2025 when the first informant was on patrolling duty, he found a dead body of a girl inside a suitcase lying near a railway bridge near Hosur National Highway 44 and it is under these circumstances, FIR in Crime No.218/2025 was registered by Suryanagar Police Station for the offences punishable under Sections 103 and 238 of BNS, 2023, against unknown persons. During the course of investigation, on 29.05.2025, the particulars of the relatives of deceased girl was traced and enquiry revealed that petitioner had kidnapped the victim girl from Rahul Nagar, Nawada District, Bihar State and in this regard, FIR was registered at

Hiswa Police Station in Bihar State. It is under these circumstances, petitioner was arrested in the present case and after completing investigation, charge sheet has been filed against him and five others.

5. As per the charge sheet allegations, on 15.05.2025, petitioner had induced the victim girl aged 14 years to accompany him to Bengaluru from Rahul Nagar and after her father came to know about the same, he tried to contact the petitioner. On 20.05.2025, petitioner allegedly had forcible sexual intercourse with the victim girl and thereafter, committed her murder and informed his friends accused Nos.2 to 6 that victim girl had committed suicide by hanging herself. Subsequently, accused Nos.1 to 6 packed the dead body of deceased girl in a suit case and threw it near the railway bridge, which was traced by CW1 and thereafter, FIR was registered against unknown persons.

6. Records would reveal that petitioner, who was married had induced the victim girl to accompany him to Bengaluru from Rahul Nagar, leaving the company of her parents.

Subsequently, he had forcible sexual intercourse with her at Bengaluru and had committed her murder. Post-mortem report of deceased would go to show that she had sustained the following injuries:-

> *"1. Asphyxia as a result of manual strangulation. There are evidences of contusions in the strap muscles of the neck along with hyoid bone fracture.*
>
> *2. There are evidences of blunt force injuries in the abdomen, suggestive of a fist or a kick on the left side of the abdomen.*
>
> *3. There is evidence of head injury on the back of the occipital scalp suggestive of blunt force trauma to the head.*
>
> *4. There is evidence of lacerations of anus and rectum with first degree prolaspe, suggestive of penetrative assault by blunt object into the anus and rectum.*
>
> *5. The final opinion towards any vaginal penetrative sexual assault is reserved pending for want of swab examination results for semen from FSL."*

7. From a reading of the aforesaid, it is apparent that petitioner had brutally committed the murder of the victim girl after having sexually assaulted her. The allegation against accused Nos.2 to 6 is about they helping accused No.1 to dispose off the dead body of deceased girl. It is under these circumstances, they have been granted bail in the present case. Insofar as petitioner is concerned, the allegations are grave in nature and he has not only raped the minor girl but also has subsequently committed her murder brutally. Therefore, I am of the opinion that his prayer for grant of regular bail cannot be entertained. Accordingly, the petition is ***dismissed***.

Sd/-
(S VISHWAJITH SHETTY)
JUDGE

DN
List No.: 1 Sl No.: 39