HC-KAR

NC: 2026:KHC:59404
CRL.P No. 14478 of 2026

CNR: KAHC010651332026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 27TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

CRIMINAL PETITION NO. 14478 OF 2026 (439(Cr.PC) / 483(BNSS))

BETWEEN:

SWARUP ROY
S/O SUNIL ROY AGE 35 YEARS
R/O DS MAX COMPANY SHED,
SHUBASHN NAGAR, HOSA ROAD,
ELECTRONIC CITY PHASE -1,
BANGALORE – 560 100.

…PETITIONER

(BY SRI. KARTHIK M.,ADVOCATE)

AND:

STATE BY KARNATAKA
BY ELECTRONIC CITY POLICE STATION
(REP. BY HCGP,H.C.K.
BANGALORE).

…RESPONDENT

(BY SRI. RAHUL RAI K.,HCGP)

Digitally signed by NANDINI D
Location: HIGH COURT OF KARNATAKA

THIS CRL.P IS FILED U/S 439 CR.PC PRAYING TO ENLARGE THE PETITIONER ON BAIL IN CR.NO.51/2026 FOR THE OFFENCES P/U/S 105 OF BNS ACT, AND SUBSEQUENTLY THE RESPONDENT POLICE HAVE SUBMITTED THE CHARGE SHEET IN C.C.NO.4761/2026 FOR THE OFFENCES P/U/S 238 AND 103(1) OF THE BNS NOW PENDING IN ADDL. DISTRICT AND SESSIONS JUDGE, AT BENGALURU RURAL AT BANGALORE IN THE ABOVE CASE.

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 Crime No.51 of 2026 registered by Electronic City Police Station, Bengaluru for the offences punishable under Section 103(1), 238 of the Bharatiya Nyaya Sanhita, 2023 ('BNS' for short) is before this Court in this petition filed under Section 483 of BNSS seeking regular bail.

2. Heard the learned counsel for the parties.

3. FIR in Crime No.51 of 2026 was registered by Electronic City Police Station, Bengaluru for the offences punishable under section on 105 of BNS against the petitioner herein based on the first information dated 16.02.2026 received from Sri Subal Kirtania, Son of late Ananta Kirtania. In the said case, the petitioner was arrested on 18.02.2026 and remanded to judicial custody. After completing the investigation, charge sheet has been

filed against him for the aforesaid offences. His bail application filed before the jurisdictional Sessions Court in Crl.Misc.No.1324/2026 was rejected on 08.07.2026. Thereafter, he is before this Court.

4. FIR in the present case was registered against the petitioner invoking the offence punishable under Section 105 of BNS considering the allegation that the deceased Anal Mondal had fallen on a sharp object after the petitioner, who had quarreled with him, had pushed him. The injured Anal Mondal was immediately shifted to a hospital, but he was declared brought dead.

5. The statement of CW.9 - Sumitra Bishwas, wife of Anal Mondal was recorded in the present case on 16.02.2026. She was inside the house when the incident in question had taken place on the night of 15.02.2026. She came out of the house immediately after hearing somebody shouting outside her house and she was allegedly informed by the persons present there that her

husband Anal Mondal had fallen on a sharp object after the petitioner had pushed him and had sustained injuries.

6. It is alleged in the statement of eye witnesses recorded subsequently, that the petitioner had stabbed Anal Mondal with a knife and committed his murder. Therefore chargesheet was filed invoking offence punishable under setction 103(1) of BNS 2023. Undisputedly, the weapon allegedly used by the petitioner to stab Anal Mondal has not been recovered in the present case. The investigation of the case is completed and the charge sheet has been filed. The petitioner has no other criminal antecedents. Considering the aforesaid aspects of the matter, I am of the opinion that the prayer for grant of regular bail needs to be answered affirmatively.

7. Accordingly, the following:

ORDER

i) The Criminal Petition is ***allowed***;

ii) The petitioner is directed to be enlarged on bail in Crime No.51 of 2026 registered by Electronic City Police Station, Bengaluru for the offences punishable under Sections 103(1) and 238 of the Bharatiya Nyaya Sanhita, 2023 subject to the following conditions:

a) Petitioner shall execute a personal bond for a sum of Rs.1,00,000/- (Rupees One Lakh only) with two sureties for the likesum out of which one shall be local surety 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 them is disposed off.

Sd/-
(S VISHWAJITH SHETTY)
JUDGE

hkh.
List No.: 1 Sl No.: 46