HC-KAR

NC: 2026:KHC:62406
CRL.P No. 14817 of 2026

CNR: KAHC010660552026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 11TH DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

CRIMINAL PETITION NO. 14817 OF 2026

BETWEEN:

1. ASIF @ NAAS
   S/O AMEER JAAN
   AGED ABOUT 30 YEARS
   R/O 2ND CROSS
   VAADI-A-HUDA
   SHIVAMOGGA TOWN - 577 205.

2. IRFAN
   S/O MOHAMMED LATEEF
   AGED ABOUT 26 YEARS
   R/O MKK ROAD
   OPPOSITE TO MUTTON STALL
   SHIVAMOGGA TOWN - 577 205.

...PETITIONERS

(BY SRI TIGADI VEERANNA GADIGEPPA, ADV.)

AND:

Digitally signed by NANDINI D
Location: HIGH COURT OF KARNATAKA

THE STATE OF KARNATAKA
BY DODDAPETE POLICE STATION
SHIVAMOGGA, REPRESENTED BY
STATE PUBLIC PROSECUTOR
HIGH COURT COMPLEX
BENGALURU - 560 001.

...RESPONDENT

(BY SRI RAHUL RAI K, HCGP)

THIS CRL.P IS FILED U/S 439 CR.P.C (U/S 483 BNSS) PRAYING TO ENLARGE THE PETITONERS/ACCUSED NOs.5 AND 8 ON REGULAR BAIL IN CC.NO.2052/2026 ARISING OUT OF CR.NO.165/2026 REGISTERED BY DODDAPETE P.S., FOR THE OFFENCES P/U/S 140(1),127(7),352,115(2),109(1),310(2) OF BNS, 2023, PENDING BEFORE THE HONBLE JMFC 2nd COURT, SHIVAMOGGA DISTRICT, BALRAJ URS ROAD, SHIVAMOGGA.

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 Nos.5 and 8 in Crime No.165/2026 registered by Doddapete Police Station, Shivamogga for the offences punishable under Section 140(1), 127(7), 352, 115(2), 109(1), 310(2) of BNS, 2023, are 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.165/2026 was registered by Doddapete Police Station, Shivamogga for the aforesaid offences against Adil and others, based on the first information dated 09.05.2026 received from Irfan Khan S/o. Baasha Khan, who is the injured victim in the present case. During the course of investigation, accused No.5 was arrested on 15.05.2026 and accused No.8 was arrested on 16.05.2026 and subsequently, they were remanded to judicial custody. Their bail application filed before the jurisdictional Sessions Court in Crl.Misc.No.934/2026 was rejected on 05.09.2026. Therefore, they are before this Court.

4. In the first information dated 09.05.2026 submitted by the injured victim, he has alleged that the accused persons named in the FIR forcibly kidnapped him in a car and took him to a place near Arukiru Family Restaurant on Bhadravathi Bypass Road and in the said place, assaulted him and threatened him of dire consequences to his life. They allegedly asked him to transfer a sum of Rs.1,00,000/- to the Phone Pe account of petitioner No.2 herein, who is arrayed as accused No.8 in the present case. It is further alleged that accused No.1 demanded a further amount of Rs.4,00,000/- and asked the victim to instruct his wife and brother to transfer the said amount by selling their gold jewellery. Subsequently, after seeing the police, the accused persons abandoned the victim and escaped.

5. Undisputedly, the victim has suffered only simple injuries in the incident in question. Five persons who had kidnapped the victim have been named in the FIR and therefore, it is apparent that said persons were acquainted to the first informant. According to the learned counsel for the petitioners, there was a monetary dispute between the parties

and therefore, the present case has been registered against the petitioners.

6. Investigation of the case is now completed and charge sheet is already filed. The alleged offences are not exclusively punishable with life imprisonment or death sentence. Accused No.8 has no other criminal antecedents. The allegations against him is that an amount of Rs.1,00,000/- was transferred to his Phone Pe account at the instruction of accused No.1. Accused No.5 is said to be a person with criminal antecedents. After completing investigation, charge sheet is now filed against nine persons though FIR was registered only as against six persons. Considering the aforesaid aspects of the matter, I am of the opinion that the prayer made by the petitioners for grant of regular bail needs to be answered affirmatively, subject to appropriate conditions. Accordingly, the following:

ORDER

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

ii) The petitioners are directed to be enlarged on bail in Crime No.165/2026 registered by Doddapete Police Station,

Shivamogga for the offences punishable under Section 140(1), 127(7), 352, 115(2), 109(1), 310(2) of BNS, 2023, subject to the following conditions:

a) The petitioners shall execute personal bond for a sum of Rs.1,00,000/- each with two sureties for the likesum, to the satisfaction of the jurisdictional Court;

b) The petitioners shall appear regularly on all the dates of hearing before the Trial Court unless the Trial Court exempts their appearance for valid reasons;

c) The petitioners shall not directly or indirectly threaten or tamper with the prosecution witnesses;

d) The petitioners shall not involve in similar offences in future;

e) The petitioners shall not leave the jurisdiction of the Trial Court without permission of the said Court until the case registered against them is disposed off.

f) Accused No.5 is directed to appear before the Station House Officer (S.H.O) of Doddapete Police Station, Shivamogga on every second and fourth Sunday of the month between 10.00 a.m. and 9.00 p.m. and mark his attendance for a period of one year from the date of his release from custody.

Sd/-
(S VISHWAJITH SHETTY)
JUDGE

SHS
List No.: 1 Sl No.: 54