HC-KAR

NC: 2026:KHC:60130
CRL.P No. 14843 of 2026

CNR: KAHC010664262026

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. 14843 OF 2026

BETWEEN:

ARBAZ
S/O ISMAIL
AGED ABOUT 25 YEARS
R/AT MARKET STREET,
'O' DANIEL ROAD, ANDERSONPET POST,
K.G.F TALUK, KOLAR DISTRICT - 563 113.

...PETITIONER

(BY SRI. CHETHAN A, ADVOCATE)

AND:

STATE OF KARNATAKA
BY THE STATTION HOUSE OFFICER
ANDERSONPET POLICE STATION,
KGF, KOLAR DISTRICT
REPRESENTED BY SPECIAL PUBLIC PROSECUTOR,
HIGH COURT BUILDING,
BENGALURU - 560 001.

...RESPONDENT

(BY SRI. RAHUL RAI K, HCGP)

Digitally signed by PANKAJA S
Location: HIGH COURT OF KARNATAKA

THIS CRL.P IS FILED U/S 439 OF CR.PC (FILED U/S 483 BNNS) PRAYING TO ENLARGE HIM ON BAIL IN CRIME NO.96/2026 OF ANDERSONPET POLICE STATION, REGISTERED FOR THE OFFENCES P/U/S 115(2), 118(1), 118(2), 103(1),

351(2), 352 R/W SECTION 3(5) OF THE BNS, 2023 WHICH IS NOW PENDING BEFORE THE COURT OF HONBLE PRL. CIVIL JUDGE (JR.DN) AND JMFC COURT, AT KGF, KOLAR DISTRICT.

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 No.2 in Crime No.96/2026 registered by Andersonpet Police Station, K.G.F., for the offences punishable under Section 115(2), 118(1), 118(2), 103(1), 351(2), 352 read with Section 3(5) of BNS, 2023, 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.96/2026 was registered by Andersonpet Police Station, K.G.F against Afreed and others, based on the first information dated 17.08.2026 received from Naseem Taj daughter of deceased Abdul Khadar. In the said case, the petitioner was arrested on

20.08.2026 and remanded to judicial custody. His bail application filed before the jurisdictional Sessions Court in Crl.Misc.No.885/2026 was rejected on 16.09.2026. Therefore, he is before this Court.

4. Accused No.3 had approached this Court under Section 482 of BNSS, 2023 seeking anticipatory bail. The said petition was allowed on 15.10.2026. In paragraph Nos.4 and 5 of the order passed in Crl.P.No.14534/2026, it is observed as follows:

> *"4. Perusal of the material on record would go to show that in respect of the alleged incident that had taken place on 17.08.2026, there is a case and counter case registered by Andersonpet Police Station, K.G.F., in Crime No.96/2026 and Crime No.97/2026. A reading of the first information in the aforesaid two cases would reveal that the parties, who are residing in adjacent houses, had a dispute with regard to a construction that was being put up by the family of the deceased. It is in this background the parties had fought against each other on 17.08.2026. In the said*

incident, accused No.1 Afreed, who is the son of the petitioner, had assaulted Abdul Khadar on the back side of his head with a brick and caused grievous injuries. Allegation against accused Nos.2 and 3 is that they assaulted Abdul Khadar with their hands and legs. Abdul Khadar, who was admitted in the hospital, subsequently died on 20.08.2026.

5. The medical reports of Abdul Khadar would go to show that he was aged 77 years and on 20.08.2026 he underwent terminal cardiopulmonary arrest and ceased to show any signs of life. In the postmortem report of deceased, it is mentioned that death was due to complications of intracranial hemorrhage secondary to head injury. The said injury corresponds to the assault made by accused No.1 with a brick on the head of Abdul Khadar. Petitioner is a married lady aged 55 years. In the counter case, registered in Crime No.97/2026, petitioner herein is one of the injured victims."

5. It is not in dispute that the petitioner has no other criminal antecedents. Considering the aforesaid aspects of the matter, I am of the opinion that the prayer

made by the petitioner for grant of regular bail needs to be answered affirmatively, subject to appropriate conditions. Accordingly, the following:

O R D E R

(i) The Criminal Petition is allowed.

(ii) The petitioner is directed to be enlarged on bail in Crime No.96/2026 registered by Andersonpet Police Station, K.G.F., for the offences punishable under Section 115(2), 118(1), 118(2), 103(1), 351(2), 352 read with Section 3(5) of BNS, 2023, subject to the following conditions:

a) The petitioner shall execute personal bond for a sum of Rs.1,00,000/- with two sureties for the likesum, 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 him is disposed off.

Sd/-
(S VISHWAJITH SHETTY)
JUDGE

AMM
List No.: 1 Sl No.: 55