HC-KAR

NC: 2026:KHC:63640
CRL.P No. 14832 of 2026

CNR: KAHC010666162026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 17TH DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

CRIMINAL PETITION NO. 14832 OF 2026

BETWEEN:

FARHAN HUSSAIN
S/O ARIF HUSSAIN
AGED ABOUT 29 YEARS
R/AT FF. 101, 2ND FLOOR
ALMAS ENCLAVE APARTMENT
9TH CROSS, HANUMANTHAPPA
LAYOUT, SULTHANPALYA
R.T NAGARA POST,
BENGALURU 560-032

...PETITIONER

(BY SRI. ARUNACHALAM SHIVAKUMAR.,ADVOCATE)

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Location: HIGH COURT OF KARNATAKA

AND:

STATE OF KARNATAKA
BY R.T. NAGAR PS,
REPRESENTED BY
STATE PUBLIC PROSECUTOR,
HIGH COURT OF KARNATAKA
BANGALORE - 560 001.

...RESPONDENT

(BY SRI. CHANNAPPA ERAPPA, HCGP)

THIS CRL.P IS FILED U/S 439 OF CR.PC (FILED U/S 483 BNSS) PRAYING TO ENLARGE THE PETITIONER ON BAIL IN FIR

BEARING CRIME NO. 199/2025 (SPL.C.C NO. 248/2026) REGISTERED BY R.T. NAGAR POLICE STATION, PENDING ON THE FILE OF XXXIV ADDITIONAL CITY CIVIL AND SESSIONS JUDGE AND SPECIAL JUDGE FOR NDPS CASES AT BENGALURU CCH-35 FOR THE ALLEGED OFFENCES PUNISHABLE UNDER SECTION 29, SECTION 22(c), SECTION 20 (b)(ii)(B) OF NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES ACT AND SEC. 25-1(B)(b) OF ARMS ACT, 1959.

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.1 in Spl.C.C.No.248/2026 pending before the Court of XXXIV Additional City Civil and Sessions Judge and Special Judge for NDPS cases, Bengaluru arising out of crime No.199/2025 registered by R.T. Nagar Police Station, Bengaluru for the offences punishable under Sections 29, 22(C) and 20(b)(ii)(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985 ('the NDPS Act' for short) and Section 25-1(B)(b) of the Arms Act, 1959 is before this Court in this petition filed

under Section 483 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 seeking regular bail.

2. Heard the learned counsel appearing for the parties.

3. FIR in Crime No.199/2025 was registered by R.T. Nagar Police Station, Bengaluru for the offence punishable under Section 22(C) of the NDPS Act against unknown persons based on the first information dated 05.08.2025 received from Prathap R., Police Officer at R.T. Nagar Police Station, Bengaluru. During the course of investigation of the said case, petitioner herein was apprehended on 05.08.2025 and at his instance, contraband articles allegedly ganja weighing 3Kg 330grams, MDMA weighing 278grams, 3 weapons and other articles used for the purpose of selling the contraband articles were recovered from the residential premises in which accused No.1 was resided. Subsequently, on the same day he was arrested and thereafter remanded to the judicial custody. After completing investigation charge sheet is now filed against four persons and petitioner is arrayed as accused No.1 in the charge sheet. His bail application filed before the Trial Court in

Crl.Misc.No.4213/2026 was rejected on 09.06.2026. Therefore, petitioner is before this Court.

4. A reading of the first information as well as the charge sheet filed in the present case would go to show that based on credible information received on 05.08.2025 to the effect that contraband article was stored in the house of the petitioner situated within the jurisdiction of R.T. Nagar Police Station, raid was conducted to the said house and contraband article as aforesaid was recovered from the said house at the instance of the petitioner. The contraband article allegedly MDMA weighing 278grams has responded positive for a drug known as Methamphetamine. Therefore, the seized contraband article in the present case is of commercial quantity.

5. The learned counsel for the petitioner has failed to point out violation of any mandatory provision of law in the present case.

6. Learned High Court Government Pleader has brought to the notice of this Court that petitioner is a person with criminal antecedents and he was earlier involved in Crime

No.199/2022 registered by Pulikeshi Nagar police station, Bengaluru registered for offences punishable under the provisions of the NDPS Act.

7. Since the seized contraband article in the present case is of commercial quantity and the petitioner is a person with criminal antecedent, in view of the rigour under Section 37(1)(b) of the NDPS Act, I am of the opinion that prayer made by the petitioner for grant of regular bail cannot be entertained at this stage. Accordingly, the criminal petition is ***dismissed***.

8. The Trial Court is requested to expedite the trial in the case and dispose of the main matter at the earliest.

Sd/-
(S VISHWAJITH SHETTY)
JUDGE

JY
List No.: 1 Sl No.: 58