HC-KAR

NC: 2026:KHC:61537
CRL.P No. 15176 of 2026

CNR: KAHC010674352026

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. 15176 OF 2026

(439(Cr.PC) / 483(BNSS))

BETWEEN:

LUKMAN HAKEEM
AGED ABOUT 30 YEARS
S/O LATE ABBAS,
R/AT 3 - 188-3, LOOKMAN
MANZIL, MADANI NAGAR,
MUNNUR, ULLAL,
KARNATAKA -577 521.

...PETITIONER

(BY MS. DEEPTHI SHETTY, ADVOCATE
SRI. DHANANJAY KUMAR, ADVOCATE)

Digitally signed by NANDINI D
Location: HIGH COURT OF KARNATAKA

AND:

STATE OF KARNATAKA
BY MANGALURU NORTH POLICE STATION
MANGALURU, D.K.
REPRESENTED BY SPP
HIGH COURT OF KARNATAKA
BANGALORE-560 001.

...RESPONDENT

(BY SRI. RAHUL RAI K., HCGP)

THIS CRIMINAL PETITION IS FILED U/S.439 (FILED U/S.483 BNSS) CR.P.C PRAYING TO ALLOW THIS PETITION AND RELEASE THE PETITIONER ON BAIL IN CRIME NO.104/2026 REGISTERED BY THE MANGALURU NORTH

POLICE STATION ON THE FILE OF THE PRINCIPAL DISTRICT AND SESSIONS JUDGE, D.K, MANGALURU FOR THE OFFENCES P/US/ 8(c), 22(c) OF NDPS ACT 1985.

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 Crime No.104/2026 registered by Mangalore North Police Station, Dakshina Kannada, for offences punishable under Sections 8(c) and 22(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (NDPS Act) is before this Court in this petition filed under Section 483 of BNSS 2026 seeking regular bail.

2. Heard learned counsel for the parties.

3. FIR in Crime No.104/2026 was registered by Mangaluru North Police Station, Dakshina Kannada for the aforesaid offences against petitioner herein based on first information dated 27.08.2026 received from Faizunisa, Police Sub-inspector attached to Mangaluru North Police Station. In the said case, petitioner was

arrested on 27.08.2026 and from his possession, contraband articles allegedly MDMA weighing 3.25 grams was recovered and seized under panchanama. Bail application filed by the petitioner before the trial Court was rejected on 10.09.2026. Therefore petitioner is before this Court.

4. The FIR in the present case was registered for the offences punishable under Sections 8(c) and 22(c) of NDPS Act against petitioner based on credible information received from first informant on 27.08.2026, while she was in the police station. Subsequently, petitioner was apprehended and from his possession contraband article allegedly MDMA weighing 3.25 grams was recovered and seized under panchanama. The FSL report now received would indicate that sample of seized contraband article has tested positive for drug known as Methamphetamine and negative for MDMA. Therefore seized contraband article is a little more than the small quantity.

5. Investigation of the case is already completed and charge sheet has been filed and since seized contraband article is of intermediate quantity, the rigour under Section 37(1)(b) of the Act cannot be made strictly applicable against the petitioner.

6. It is brought to the notice of this Court by learned HCGP that the petitioner is a person with criminal antecedents and is involved in eight other criminal cases including one criminal case registered against him for offence punishable under Section 27B of the NDPS Act. Under the circumstances, I am of the opinion prayer made by the petitioner has to be answered affirmatively, subject to appropriate conditions. Accordingly, following:

ORDER

The petition is ***allowed***. The petitioner is directed to be enlarged on bail in Crime No.104/2026 of Mangalore North Police Station, registered for the

offences punishable under Sections 8(c) and 22(c) of NDPS Act, subject to the following conditions:

a) Petitioner shall execute a 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.

(f) Petitioner is directed to appear before the Station House Officer on first Sunday and third Sunday of every month between 10 a.m. and 1 p.m. and mark his attendance regularly for a

period of one year from the date of his release from custody.

Sd/-
(S VISHWAJITH SHETTY)
JUDGE

SBN
List No.: 1 Sl No.: 53