HC-KAR
NC: 2026:KHC:60084
CRL.P No. 15269 of 2026
CNR: KAHC010679302026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 29TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

CRIMINAL PETITION NO. 15269 OF 2026

(438(Cr.PC) / 482(BNSS))

BETWEEN:

SYED SAGEER AHAMMED@ KHALEEM
S/O SYED MEER,
AGED ABOUT 38 YEARS,
AGRICULTURE,
R/O UMBRANI VILLAGE,
CHANNAGIRI TALUK,
DAVANAGERE DISTRICT - 577 213.

...PETITIONER

(BY SRI. MOHAN KUMAR T N.,ADVOCATE)

AND:

Digitally signed by SUMA B N
Location: HIGH COURT OF KARNATAKA

THE STATE OF KARNATAKA
THROUGH THE REGIONAL FOREST OFFICER,
CHANNAGIRI RANGE,
DAVANAGERE DISTRICT,
REPRESENTED BY
THE STATE PUBLIC PROSECUTOR,
HIGH COURT OF KARNATAKA,
AMBEDKAR VEEDHI,
BENGALURU - 560 001.

...RESPONDENT

(BY SRI. CHANNAPPA ERAPPA, HCGP)

THIS CRL.P IS FILED U/S.438 (FILED U/S.482 BNSS) CR.P.C PRAYING TO GRANT BAIL TO THE

PETITIONER/ACCUSED NO.1 FOR APPREHENSION OF HIS ARREST IN FOC NO.4/2026-27 ON THE FILE O THE PRINCIPAL CIVIL JUDGE AND JMFC CHANNAGIRI REGISTERED BY THE RANGE FOREST OFFICER, CHANNAGIRI FOR THE OFFENCE P/US/ 24,50,62,36 OF THE KARNATAKA FOREST ACT 1963 R/W SEC.144 AND 165 OF THE KARNATAKA FOREST RULES 1969 AND SEC.4,21 OF THE MINES AND MINERALS (DEVELOPMENT AND REGULATIONS) ACT 1957 AND ETC.

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 FOC No.4/2026-27 registered by the Range Forest Officer, Channagiri for the offences punishable under Sections 24, 50, 62, 36 of the Karnataka Forest Act, 1963 read with Rules 144 and 165 of the Karnataka Forest Rules, 1969 and Sections 4 and 21 of the Mines and Minerals (Development and Regulation) Act, 1957, is before this Court filed under Section 482 of the BNSS 2023, seeking anticipatory bail.

2. Heard learned counsel appearing for the parties.

3. The Range Forest Officer, Channagiri, had registered a case in FOC No.4/2026-27 against the petitioner

and others for the aforesaid offences. Apprehending arrest in the said case, petitioner had approached the jurisdictional Sessions Court in Crl.Misc.No.518/2026 which was rejected on 24.07.2026. Therefore, he is before this Court.

4. Perusal of the material on record would go to show that allegation against the accused in the present case is that present petitioner and others were allegedly carrying on illegal mining activities by encroaching the Forest land bearing Sy.No.21 of Ubrani Village, Channagiri Taluk, and they were also illegally transporting iron ore and thereby causing loss to the exchequer of the State. Accused Nos. 2 to 5 who were arrested in the present case had approached this Court in Criminal Petition No.9618/2026 and Criminal Petition No.9689/2026, which were allowed on 07.08.2026. Maximum punishment for the alleged offences is imprisonment for a period of 5 years.

5. Learned counsel for the petitioner submits that there are no other criminal cases registered against the petitioner herein. Same is not disputed by learned HCGP

appearing for the respondent. Investigation of the case is completed.

6. Considering the said aspects of the matter, I am of the opinion that petitioner's prayer for grant of anticipatory bail needs to answered in the affirmative.

7. Accordingly, the petition is **allowed**. The respondent - Police or any other police in the State of Karnataka are directed to release the petitioner in the event of his arrest in FOC No.4/2026-27 registered by the Range Forest Officer, Channagiri for the offences punishable under Sections 24, 50, 62, 36 of the Karnataka Forest Act, 1963 read with Rules 144 and 165 of the Karnataka Forest Rules, 1969 and Sections 4 and 21 of the Mines and Minerals (Development and Regulation) Act, 1957, subject to the following conditions:

> 1. Petitioner shall appear before the Investigating Officer within 15 days from the date of receipt of the copy of this order and shall execute a personal bond for a sum of Rs.1,00,000/- each with two sureties for the likesum to the satisfaction of the investigating officer;

2. Petitioner shall regularly appear before the Trial Court without fail unless exempted by the Trial Court for valid reasons;

3. Petitioner shall not tamper with the prosecution witness and he shall co-operate with the police for investigation and appear before them whenever called upon till filing of final report;

4. Petitioner shall not involve in similar offences in future.

SD/-
(S VISHWAJITH SHETTY)
JUDGE

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List No.: 1 Sl No.: 77