HC-KAR
NC: 2026:KHC:61047
CRL.P No. 15391 of 2026
CNR: KAHC010686962026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 3RD DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

CRIMINAL PETITION NO. 15391 OF 2026

BETWEEN:

KARTHIK,
S/O. LATE AMUL,
AGED ABOUT 28 YEARS,
R/AT NO.06, NOVA STREET,
'C' NO.4TH STREET, NALA ROAD CROSS,
SHIVAJINAGAR ROAD, SHIVAJINAGAR,
BENGALURU - 560001.

...PETITIONER

(BY SRI. ARUNACHALAM SHIVAKUMAR, ADVOCATE)

AND:

STATE OF KARNATAKA,
BY PULAKESHINAGAR POLICE STATION,
REP. BY STATE PUBLIC PROSECUTOR,
HIGH COURT OF KARNATAKA,
BANGALORE - 560001.

...RESPONDENT

(BY SRI. CHANNAPPA ERAPPA, ADVOCATE)

Digitally signed by CHETAN B C
Location: High Court of Karnataka

THIS CRL.P IS FILED U/S 439 CR.PC (FILED U/S 483 BNSS) PRAYING TO ENLARGE THE PETITIONER ON BAIL IN FIR BEARING CRIME NO.198/2022 REGISTERED BY PULAKESHINAGAR POLICE STATION, BENGALURU PENDING ON THE FILE OF S.C.NO.584/2023 BEFORE XXVI ADDL. CITY CIVIL AND SESSIONS JUDGE, AT MAYO HALL, BENGALURU FOR THE ALLEGED OFFENCES PUNISHABLE UNDER SECTIONS 397, 302 OF INDIAN PENAL CODE.

THIS PETITION, COMING ON FOR ORDERS, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

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CORAM: HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

ORAL ORDER

Accused No.2 in S.C.No.584/2023, pending before the Court of XXVI Additional City Civil and Sessions Judge, Mayo Hall, Bangalore, arising out of Crime No.198/2022 registered for offences punishable under Sections 397 and 302 of the Indian Penal Code, is before this Court in this successive bail application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking regular bail.

2. Heard the learned counsel for the parties.

3. FIR in Crime No.198/2022 was registered by Pulakeshinagar police station, Bengaluru, for the offence punishable under Section 302 of IPC against unknown person, based on the first information dated 14.06.2022 received by Sri.Umesh, Police Officer, attached to Pulakeshinagar police station.

4. During the course of investigation of the said case, petitioner herein was arrested on 17.06.2022 and remanded to judicial custody. Investigation of the case was completed and charge sheet was filed against two persons and petitioner is arrayed as accused No.2 in the charge sheet. His bail application filed before the Trial Court was rejected and therefore, he approached this Court in Crl.P.No.12757/2023 which was disposed off on 04.01.2024. Subsequently, petitioner had filed fresh bail application before the Trial Court in Crl.Misc.No.25337/2026 which was rejected on 04.05.2026. Therefore, he is before this Court.

5. FIR in the present case was registered against unknown person for offence punishable under Section 302 of IPC, after dead body of one Bikash Mudi, aged about 37 years was found lying within the jurisdiction of Pulakeshinagar police station. During the course of investigation, petitioner herein was arrested and after completing investigation, charge sheet is filed against two persons. As per the charge sheet allegations, on 14.06.2022, at about 5.30 a.m., when Bikash Mudi after completing his duty, was on his way to his house,

accused Nos.1 and 2 with an intention to rob, allegedly tried to restrain him and when he ran away, they chased him and thereafter, accused No.2 caught hold of Bikash Mudi. Accused No.1 who had a knife with him allegedly assaulted Bikash Mudi with the same and after Bikash Mudi fell down, took his valet and mobile phone and ran away from the spot of crime.

6. A reading of the charge sheet would go to show that allegation of assaulting Bikash Mudi with a knife is found to be as against accused No.1. Petitioner allegedly had caught hold of Bikash Mudi and thereafter, accused No.1 assaulted Bikash Mudi with a knife. It is not in dispute that petitioner has no other criminal antecedents. Accused No.1 is said to be person with criminal antecedents. Petitioner who has no other criminal antecedents, is in the custody in the present case for the last more than four years. Before the Trial Court, out of 38 charge sheet witnesses cited in the present case, only three witnesses are said to have been examined as on this date.

7. Considering the role of the petitioner in the crime in question, the fact that he has no other criminal antecedents

and also the period of his incarceration, I am of the opinion that 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**. The petitioner is directed to be enlarged on bail in S.C.No.584/2023, pending before the Court of XXVI Additional City Civil and Sessions Judge, Mayo Hall, Bangalore, arising out of Crime No.198/2022 registered for offences punishable under Sections 397 and 302 of the Indian Penal Code, 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.

Sd/-
(S VISHWAJITH SHETTY)
JUDGE

CBC
List No.: 1 Sl No.: 87