HC-KAR

NC: 2026:KHC:59875
CRL.P No. 15528 of 2026

CNR: KAHC010688142026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 28TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

CRIMINAL PETITION NO. 15528 OF 2026

BETWEEN:

SUMAN MAZUMDAR
S/O SANTOSH MAZUMDAR
AGED ABOUT 30 YEARS
R/AT NO.40, NEAR ZIBONI
STORE JAPORIGOGE, DISPUR
KAMAROOPA METRO DISTRICT
ASSAM - 781 005.

...PETITIONER

(BY SRI MOHAMMAD FAIZAN, ADV.)

AND:

STATE OF KARNATAKA
BY KALASIPALYA P.S
REPRESENTED BY HCGP
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(1)(b) CR.PC (FILED U/S 483(1)(b) OF BNSS) PRAYING TO RELAX THE ABOVE SAID CONDITION A. IMPOSED BY THIS COURT IN CRL.P 9602/2026 VIDE ANNEXURE-B TO FURNISH TWO SURETIES LIKE SUM AND THE SAME BE MODIFIED AND HE MAY BE DIRECTED TO EXECUTE PERSONAL BOND.

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

CNR: KAHC010688142026

CORAM: HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

ORAL ORDER

This petition under Section 483(1)(b) of BNSS, 2023 is filed with a prayer to relax Condition No.(a) imposed by this Court in Crl.P.No.9602/2026, disposed of on 12.08.2026.

2. Heard the learned counsel for the parties.

3. The petitioner, who is arrayed as accused No.2 in Special Case No.151/2026 pending before the Court of the XXXIII Additional City Civil and Sessions Judge and Special Judge (NDPS), Bengaluru arising out of Crime No.155/2025 registered by Kalasipalya Police Station, Bengaluru for the offences punishable under Sections 8C, 20(B) and 22(C) of NDPS Act, 1985 had approached this Court in Crl.P.No.9602/2026 seeking regular bail. The said petition was allowed on 12.08.2026, subject to certain conditions. Condition No.(a) imposed by this Court reads as follows:

"a) Petitioners shall execute a personal bond for a sum of Rs.1,00,000/- each with two sureties for the likesum, out of which one shall be a local surety, to the satisfaction of the jurisdictional Court;"

Seeking relaxation/modification of the aforesaid condition, the petitioner is before this Court.

4. Learned counsel for the petitioner submits that, though the petitioner was granted regular bail on 12.08.2026, he has remained in custody for the reason that he is not in a position to furnish two sureties as directed by this Court. He submits that the petitioner shall deposit cash surety of Rs.2,00,000/- before the Trial Court in lieu of furnishing the sureties as directed in the impugned condition by this Court. He also submits that the petitioner shall furnish the permanent address proof and surrender his passport before the Trial Court.

5. Learned High Court Government Pleader, however, submits that, since the petitioner is from Assam state, the chances of he fleeing away from justice cannot be ruled out.

6. Perusal of the material on record would go to show that the petitioner was granted interim bail by the Trial Court on medical grounds and in compliance of the conditions imposed while granting interim bail, he has deposited an amount of Rs.2,00,000/- before the Trial Court as cash surety and subsequently had surrendered before the Trial Court after his interim bail had expired.

7. It is not in dispute that he has not violated the bail conditions after he was granted interim bail. It is also not in dispute that the petitioner has no other criminal antecedents.

8. Considering the aforesaid aspects of the matter, I am of the opinion that the prayer made by the petitioner for relaxation of condition No.(a) needs to be answered affirmatively. Accordingly, the following:

ORDER

i) The Criminal Petition is **allowed-in-part**.

ii) Condition No.(a) imposed by this Court in Crl.P.No.9602/2026 vide order dated 12.08.2026 is modified and the same shall read as follows:

> "a) The petitioner shall execute personal bond for a sum of Rs.1,00,000/- and he shall also deposit/furnish cash surety of Rs.2,00,000/-, to the satisfaction of the Trial Court;"

iii) In addition to the aforesaid, the petitioner shall also furnish his permanent address proof and surrender his passport before the Trial Court, which shall be subject to further orders from the Trial Court.

iv) All other conditions imposed by this Court in Crl.P.No.9602/2026 shall remain unaltered.

Sd/-
(S VISHWAJITH SHETTY)
JUDGE

SHS
List No.: 1 Sl No.: 106