HC-KAR

NC: 2026:KHC:61372
CRL.P No. 15909 of 2026

CNR: KAHC010707462026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 4TH DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

CRIMINAL PETITION NO. 15909 OF 2026

BETWEEN:

DANUSHGOWDA P.
S/O PUTTASWAMY
AGED ABOUT 20 YEARS
R/AT NO.15/243, 7TH CROSS
PRASANNA BADAVANE, MAIN ROAD
MARUTHI NAGARA, MAHADESHWARA
NAGARA, BENGALURU - 560 091.

...PETITIONER

(BY SRI CHANDAN B.K, ADV.)

AND:

THE STATE OF KARNATAKA
BY BAGALAGUNTE POLICE STATION
BANGALORE, REPRESENTED BY S.P.P.
HIGH COURT PREMISES, BANGALORE - 01.

...RESPONDENT

(BY SRI RAHUL RAI K, HCGP)

Digitally signed by NANDINI D
Location: HIGH COURT OF KARNATAKA

THIS CRL.P IS FILED U/S 439 CR.PC (FILED U/S 483 BNSS) PRAYING TO ENLARGE THE PETITIONERS / ACCUSED NO.3 ON BAIL IN S.C.NO.862/2026 AGAINST ACCUSED OF THE OFFENCE P/U/S 103(1),61(2) R/W 3(5) OF BNSS 2023 WHICH IS NOW PENDING BEFORE THE HONBLE LIX ADDL.CITY CIVIL AND SESSIONS JUDGE, BENGALURU CCH-61 REGISTERED IN CR.NO.82/2026 BY BAGALGUNTE P.S.

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

CNR: KAHC010707462026

CORAM: HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

ORAL ORDER

1. Accused no.3 in S.C.No.862/2026 pending before the Court of LIX Addl. City Civil & Sessions Judge, Bengaluru, arising out of Crime No.82/2026 registered by Bagalagunte Police Station, Bengaluru City, for the offences punishable under Sections 103(1), 61(2) read with 3(5) of BNS, 2023, is before this Court in this petition filed under Section 483 of BNSS, 2023, seeking regular bail.

2. Heard the learned Counsel for the parties.

3. FIR in Crime No.82/2026 was registered by Bagalagunte Police Station, Bengaluru, for the offence punishable under Section 103(1) of BNS, 2023, against unknown persons based on the first information dated 27.02.2026 received from Nataraju - owner of the premises in which the dead body of deceased Mohan Rao was found. In the said case, petitioner was arrested on 01.03.2026 and remanded to judicial custody. In the charge sheet that was subsequently filed against three persons, petitioner is arrayed as accused no.3. Bail application

filed by the petitioner before the jurisdictional Sessions Court in S.C.No.862/2026 was rejected on 05.09.2026. Therefore, he is before this Court.

4. A reading of the charge sheet material would go to show that deceased Mohan Rao had a living in relationship with accused no.1 - Bindu and they had represented to CW-1 that they were husband and wife and were residing in a premises owned by CW-1. On 27.02.2026, foul smell started emanating from the said premises and when CW-1 opened the door of the said premises, he found the dead body of a male. It is under these circumstances, FIR was registered against unknown persons in Crime No.82/2026.

5. During the course of investigation, accused nos.1 to 3 were arrested. In the charge sheet which is filed, it is alleged that deceased Mohan Rao who was living with accused no.1, was ill-treating her and this was brought to the notice of accused nos.2 & 3 with whom she subsequently had developed illicit relationship. It is under these circumstances, accused nos.1 to 3 had decided to eliminate Mohan Rao and on

18.02.2026, Mohan Rao and accused nos.1 to 3 together consumed alcohol in the premises in which Mohan Rao was living along with accused no.1. Subsequently, accused nos.1 to 3 assaulted Mohan Rao with weapons and committed his murder, and thereafter, escaped from the spot of crime. Accused no.1 has been granted regular bail by this Court in Crl.P.No.14676/2026 disposed of on 12.10.2026. The entire case of the prosecution is based on circumstantial evidence. It is stated that petitioner has no other criminal antecedents. Under the circumstances, I am of the opinion that petitioner's prayer for grant of regular bail is required to be answered affirmatively. Accordingly, the following order:

6. The petition is allowed. The petitioner is directed to be enlarged on bail in S.C.No.862/2026 pending before the Court of LIX Addl. City Civil & Sessions Judge, Bengaluru, arising out of Crime No.82/2026 registered by Bagalagunte Police Station, Bengaluru City, for the offences punishable under Sections 103(1), 61(2) read with 3(5) of BNS, 2023, subject to the following conditions:

a) Petitioner shall execute 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

KK