HC-KAR

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 28TH DAY OF APRIL, 2026

BEFORE

THE HON'BLE MR. JUSTICE VIJAYKUMAR A. PATIL

CRIMINAL PETITION NO. 15060 OF 2025

BETWEEN:

SRI ARUN PATHAK
S/O LATE SOBHAKANT PATHAK
AGED ABOUT 45 YEARS
ULAO VILLAGE AND POST
BEGUSARAI DISTRICT, BIHAR
BEGUSARAI, BIHAR - 851 134.

...PETITIONER

(BY SRI ANKUR TRIPATHI, ADVOCATE)

AND:

1. STATE OF KARNATAKA
   BY YESHWANTHPURA POLICE STATION
   BENGALURU, REPRESENTED BY THE
   STATE PUBLIC PROSECUTOR
   HIGH COURT OF KARNATAKA
   HIGH COURT BUILDING
   BENGALURU - 560 001.

2. REENA JHA ALIAS RINA DEVI
   W/O DIVAKAR JHA
   AGED ABOUT 49 YEARS
   R/AT WARD No.16, GARHPURA
   BEGUSARAI, BIHAR - 848 204.

...RESPONDENTS

(BY SRI M.V. ANOOP KUMAR, HCGP FOR R-1)

Digitally signed by LAKSHMINARAYANA MURTHY RAJASHRI
Location: HIGH COURT OF KARNATAKA

THIS CRL.P IS FILED U/S 439(2) Cr.P.C (U/S 483(3) BNSS) BY THE ADVOCATE FOR THE PETITIONER PRAYING TO SET ASIDE THE ORDER DATED 23.09.2025 IN CRL.MISC.No.8118/2025 AND CANCEL THE BAIL PASSED BY THE LEARNED LXXI ADDL. CITY CIVIL AND SESSIONS JUDGE, BENGLAURU (CCH-72) FOUND AT ANNEXURE-C

AND DIRECT THAT RESPONDENT No.2/ACCUSED No.2 BE TAKEN INTO CUSTODY/SURRENDER FORTHWITH, FOR THE OFFENCES P/U/S 3(5), 80(2) OF BNS, 2023, ARISING OUT OF CR.No.305/2025 REGISTERED BY YESHWANTPURA P.S., PENDING ON THE FILE OF THE XLIX ACJM BENGALURU.

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

CORAM: HON'BLE MR. JUSTICE VIJAYKUMAR A. PATIL

ORAL ORDER

This petition is filed under Section 483(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the defacto complainant seeking to set aside the order dated 23.09.2025 passed in Crl.Misc.No.8118/2025 by the LXXI Addl. City Civil And Sessions Judge, Bengaluru (for short 'the trial Court')

2. Heard, the learned counsel for the petitioner and learned counsel for the respondents.

3. The case of the prosecution is that the petitioner has lodged the complaint, indicating that his daughter was given in marriage to accused No.1 and their marriage was solemnized in the year 2024 and from the inception of the

marriage the accused persons used to harass the deceased physically and mentally and demand the dowry. It is further the case of the prosecution that accused No.1 had abandoned the deceased and demanded dowry as well as insisted to get a car from her parents' house because of which the deceased suffered depression and being unable to tolerate the harassment of the accused meted out on her, on 10.09.2025 committed suicide by hanging.

4. Respondent No.2 filed Crl.Misc.No.8118/2025 under Section 482 of BNSS, seeking to grant anticipatory bail in the event of her arrest in Crime No.305/2025 by the respondent No.1/Police. The Sessions Court under the impugned order allowed the said petition.

5. It is to be noticed that the petitioner is contending that respondent No.2 herein is the accused No.2 in the aforesaid crime and at her instance accused No.1 has acted and harassed the deceased which resulted in the commission of crime. Though various grounds are urged in

the petition, it is required to be noticed that respondent No.2/accused No.2 is admittedly resident of the State of Bihar and she was not residing with accused No.1 and the deceased, who were residing in Bangalore after their marriage. Considering the aforesaid aspect the Sessions Court granted the relief to accused No.2.

6. Learned HCGP appearing for the State submits that after completion of the investigation the police have already filed charge sheet against accused. Considering the aforesaid facts, I am of the considered view that the petitioner has not made out any ground to set aside the impugned order of the Sessions Court granting anticipatory bail. It is to be noticed that now the custodial interrogation of accused No.2 is not required as the charge sheet is already filed. Hence, I do not find any reason to interfere with the order passed by the trial Court. This petition is devoid of merits and the same is rejected.

7. It is needless to observe that if accused No.2 fails to appear before the trial Court, it is open for the petitioner-de facto complainant to move the Sessions Court seeking appropriate orders.

With the aforesaid observation, the petition is **rejected**.

Sd/-
(VIJAYKUMAR A. PATIL)
JUDGE

DKB
List No.: 2 Sl No.: 2