HC-KAR

NC: 2026:KHC:61109
CRL.P No. 15772 of 2026

CNR: KAHC010714952026

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. 15772 OF 2026

BETWEEN:

ABHISHEKGOWDA,
S/O MAHADEVEGOWDA,
AGED ABOUT 22 YEARS,
RESIDING AT 7TH CROSS,
NEAR ANGANAVADI MANDYA CITY,
MARIGOWDA EXTENSION
PIN CODE - 5777004

...PETITIONER

(BY SRI. RAJU C.N., ADVOCATE)

AND:

STATE BY EXCISE DEPARTMENT
MANDYA RANGE,
MANDYA REPRESENTED BY SPP,
HIGH COURT OF KARNATAKA AT BANGALORE
PIN CODE NO 560 001

...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 PETITIONER ON BAIL IN CRIME.NO.23/2026-27 OF EXCISE INSPECTOR MANDYA RANGE, MANDYA, ON THE FILE OF PRINCIPAL DISTRICT AND

SESSIONS JUDGE AT MANDYA, FOR THE OFFENCE P/U SECTIONS 22, 8 (C) OF NDPS ACT.

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 in Crime No.23 of 2026/2027 registered by Excise Inspector, Mandya Range, Mandya for the offences punishable under Section 22, 8(c) of NDPS Act, 1985, pending on the file of Principal District and Sessions Judge and Special Judge, Mandya, 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.23 of 2026/2027 registered by Excise Inspector, Mandya Range, Mandya against the petitioner herein for the aforesaid offences. In the said case, the petitioner was arrested and remanded to judicial

custody on 19.09.2026. His bail application filed before the Trial Court in Crime No.23/2026-27 was rejected on 07.10.2026. Therefore, he is before this Court.

4. It is the case of the prosecution that, on 18.09.2026 while the first informant was on rounds, he received credible information that one person was in possession of contraband article allegedly MDMA. It is under these circumstances, *the* petitioner was intercepted by the first informant and his staff and from his possession contraband article allegedly MDMA weighing 1.17 grams was recovered and seized under a panchanama.

5. Petitioner aged 22 years, having no other criminal antecedents, is in custody from 19.09.2026. Seized contraband article allegedly MDMA is of intermediate quantity. The records would reveal that the contraband article was seized from the person of the petitioner. However, the requirement of Section 50 of the NDPS Act appears to have not been complied with in the

present case. Since seized contraband article is of intermediate quantity and therefore, the rigour under Section 37(1)(b) of the NDPS Act is not applicable to the case on hand.

6. Under the circumstances, I am of the opinion that the 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.

(ii) The petitioner is directed to be enlarged on bail in Crime No.23 of 2026/2027 registered by Excise Inspector, Mandya Range, Mandya for the offences punishable under Section 22, 8(c) of NDPS Act, 1985, pending on the file of Principal District and Sessions Judge and Special Judge, Mandya, subject to the following conditions:

a) The 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

AMM
List No.: 1 Sl No.: 94