HC-KAR

NC: 2026:KHC:60665
CRL.P No. 15891 of 2026

CNR: KAHC010721422026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 30TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

CRIMINAL PETITION NO. 15891 OF 2026

BETWEEN:

RUPAK SARKAR
S/ORAJU SARKAR
AGED ABOUT 25 YEARS
NO.70, 1ST MAIN, MV LANE
PARVATHIPURAM, V.V. PURAM
BENGALURU CITY, BANGALURU - 560 004
PERMANENT ADDRESS
NO.4, LALBAZAR NAGAR
HAIKANDI DISTRICT
HAILAKANDI, ASSAM - 788 163.

...PETITIONER

(BY SMT. SHIVAMMA D, ADV.,)

AND:

1. STATE OF KARNATAKA
   STATE BY VISHVESHWARA PURAM P.S
   RPTD BY STATE PUBLIC PROSECUTOR
   HIGH COURT OF KARNATAKA
   BANGALORE - 560 001.

2. NAZNEEN KHANUM
   W/O RAFIK
   AGED ABOUT 30 YEARS
   1ST MAIN ROAD, PARVATHIPURA
   NEAR MARAMMA TEMPLE
   BANGALORE - 560 004.

...RESPONDENTS

(BY SRI RAHUL RAI K, HCGP FOR R-1;
V/O 30.10.2026 SERVICE OF NOTICE
TO R-2 IS HELD SUFFICIENT)

THIS CRL.P IS FILED U/S 439 CR.P.C (U/S 483 BNSS) PRAYING TO PASS AN ORDER OF BAIL ENLARGING THE PETITIONER

Digitally signed by NANDINI D
Location: HIGH COURT OF KARNATAKA

IN CR.NO.185/2025 (SPL.C.NO.171/2026) REGISTERED BY VIVESHWARPURAM P.S., PENDING BEFORE THE HONBLE ADDL. CITY CIVIL AND SESSIONS JUDGE, AT BENGALURU (FTSC-I) FOR THE OFFENCES P/U/S 8,9(m),10 OF POCSO ACT, 2012.

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 Spl.C.No.171/2026 pending before the Court of the Additional City Civil and Sessions Judge, Bengaluru (FTSC-I) arising out of Crime No.185/2025 registered by Vishveshwarapuram Police Station, Bengaluru City for the offences punishable under Section 8, 9(m) and 10 of Protection of Children from Sexual Offences Act, 2012 (hereinafter referred to as 'POCSO Act, 2012' for short), is before this Court in this petition filed under Section 483 of BNSS, 2023 seeking regular bail.

2. Heard the learned counsel for the petitioner and learned High Court Government Pleader appearing on behalf of respondent No.1-State. Respondent No.2, though

served in the matter, has remained unrepresented before this Court.

3. FIR in Crime No.185/2025 was registered by Vishveshwarapuram Police Station, Bengaluru City for the offences punishable under Section 8, 9(m) and 10 of POCSO Act, 2012 and Section 74 and 75 of BNS, 2023 against the petitioner herein, based on the first information dated 13.12.2025 received from respondent No.2, who is the mother of the victim girl. In the said case, the petitioner was arrested on 13.12.2025 and remanded to judicial custody. After completing investigation, charge sheet is now filed against the petitioner for the aforesaid offences. His bail application filed before the jurisdictional Sessions Court in Crl.Misc.No.9216/2026 was rejected on 07.10.2026. Therefore, he is before this Court.

4. The allegation against the petitioner is that on 12.12.2025 at about 09:00 p.m., when the victim girl was playing with other kids, the petitioner took the victim girl

in his autorikshaw and when she started shouting, he allegedly assaulted her and also touched her body inappropriately. It is under these circumstances, FIR was registered against the petitioner for the aforesaid offences and subsequently, he was arrested and remanded to judicial custody. Investigation of the case is already completed and charge sheet is filed. The maximum punishment for the alleged offences is imprisonment for a period of five years. The petitioner, who has no other criminal antecedents is in custody for the last more than 10 months.

5. 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:

ORDER

i) The Criminal Petition is **allowed**.

ii) The petitioner is directed to be enlarged on bail in Spl.C.No.171/2026 pending before the Court of the Additional City Civil and Sessions Judge, Bengaluru (FTSC-I) arising out of Crime No.185/2025 registered by Vishveshwarapuram Police Station, Bengaluru City for the offences punishable under Section 8, 9(m) and 10 of POCSO Act, 2012, 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

SHS
List No.: 1 Sl No.: 84