HC-KAR

NC: 2026:KHC:61730
CRL.P No. 16071 of 2026

CNR: KAHC010728692026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 5TH DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

CRIMINAL PETITION NO. 16071 OF 2026

BETWEEN:

SRI MUDASIR PASHA
@ SYED MUDASSIR
S/O LATE SYED AKRAM
AGED ABOUT 27 YEARS
R/AT. NO.218, 9TH CROSS
C BLOCK, GHOUSIA NAGAR
MYSORE - 570 019
PRESENTLY R/AT 16TH BUILDING
AMRUTHA BADAVANE, RAJIV NAGAR
3RD PHASE, MYSURU - 570 019.

...PETITIONER

(BY SRI GAURAV SUBRAMANYAM, ADV.)

AND:

STATE OF KARNATAKA
BY SRIRANGAPATNA RURAL P.S
MANDYA DISTRICT, REP. BY STATE
PUBLIC PROSECUTOR, HIGH COURT
COMPLEX, BENGALURU - 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 BNNS) PRAYING TO ENLARGE THE PETITIONER ON REGULAR BAIL IN S.C. NO. 5042/2026 (CR. NO. 85/2026) OF THE RESPONDENT NO. 1, SRIRANGAPATNA RURAL POLICE STATION, MYSURU, FOR THE OFFENCES PUNISHABLE UNDER SECTIONS 103(1), 189(2), 190, AND 191(3) OF THE BHARATIYA NYAYA SANHITA, 2023, PENDING ON THE FILE OF THE HON'BLE III ADDITIONAL DISTRICT AND SESSIONS JUDGE, MANDYA (SITTING AT SRIRANGAPATNA)

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

CORAM: HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

ORAL ORDER

1. Accused No.4 in Crime No.85/2026 registered by Srirangapatna Rural Police Station, Mandya, for the offences punishable under Sections 103(1), 189(2), 190, 191(3), 238, 46 and 61(1)(a) 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.85/2026 was registered by Srirangapatna Rural Police Station, Mandya, for the offences punishable under Sections 189(2), 191(3), 103(1), 238 and 190 of BNS, 2023, against Abeeb aliyas Sukka and others based on first information dated 06.05.2026 received from Myzamil Beg, brother of deceased Mohammed Javad Alam aliyas Sahil. In the said case, petitioner was arrested on 11.05.2026 and remanded to judicial custody. After completing investigation, charge sheet is filed against six persons and petitioner is arraigned as accused No.4 in the charge sheet. Bail application filed by the

petitioner before the jurisdictional Sessions Court in Crl.Misc.No.5231/2026 was rejected on 10.07.2026. Therefore, he is before this Court.

4. FIR in the present case was registered against Abeeb aliyas Sukka and others since first informant suspected hand of the accused persons named in the FIR in the death of his brother deceased Mohammed Javad Alam aliyas Sahil. During the course of investigation, petitioner was arrested on 11.05.2026. In the charge sheet, which is filed subsequently, some of the accused named in the FIR have been dropped. It is not in dispute that name of the petitioner was not found in the FIR. In the charge sheet, it is alleged that accused No.1, who had business rivalry with the deceased and also since deceased was demanding money from him, he allegedly decided to eliminate Mohammed Javad Alam aliyas Sahil and accordingly, he conspired with other accused persons and promised to pay accused Nos.2 and 3 a sum of Rs.3 lakhs for committing murder of deceased.

5. In furtherance of such conspiracy, accused Nos.2 and 3 had contacted accused Nos.4 and 6 and on the alleged date of incident, accused Nos.2 and 3 had instructed accused Nos.4 and 6 to keep watch whether persons acquainted to Mohammed Javad Alam aliyas Sahil were near the spot of crime. Subsequently, accused Nos.2 and 3 had taken Mohammed Javad Alam aliyas Sahil along with them in a scooter bearing Reg.No.KA09JV8212 and when they were speaking to each other in an isolated place, deceased allegedly abused accused No.2 on the ground that his life was spoiled because of him. At this juncture, accused No.2 took out a knife and assaulted Mohammed Javad Alam aliyas Sahil and thereafter, even accused No.3 also assaulted him with a knife and committed his murder. Subsequently, accused Nos.2 and 3 contacted accused Nos.4 to 6 over phone and informed them about the murder of Mohammed Javad Alam aliyas Sahil.

6. From the aforesaid, it is apparent that accused Nos.2 and 3 are the assailants in the present case and accused Nos.4 to 6 were not even present at the spot of crime when the murder was committed. Accused No.1 as against whom there is an

allegation of conspiracy has been granted regular bail by this Court in Crl.P.No.8551/2026. Investigation of the case is completed and charge sheet has been filed. Considering the nature of allegations found against the petitioner, I am of the opinion that his prayer for grant of regular bail needs to be answered affirmatively. Accordingly, the following order:-

7. The petition is allowed. The petitioner is directed to be enlarged on bail in Crime No.85/2026 registered by Srirangapatna Rural Police Station, Mandya, for the offences punishable under Sections 103(1), 189(2), 190, 191(3), 238, 46 and 61(1)(a) of BNS, 2023, subject to the following conditions:

a) Petitioner shall execute a 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

DN
List No.: 1 Sl No.: 83