HC-KAR

NC: 2026:KHC:60659
CRL.P No. 16029 of 2026

CNR: KAHC010732062026

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. 16029 OF 2026

BETWEEN:

MR. MANJUNATH M.N
S/O NAGARAJ M
AGED 34 YEARS
R/O NO.81/19, 12TH CROSS
SHIVANAGAR, BENGALURU - 560 010
(NOW IN JUDICIAL CUSTODY CENTRAL
PRISON, BENGALURU)

...PETITIONER

(BY SRI HASHMATH PASHA, SR. COUNSEIL, FOR
SRI NASIR ALI, ADV.)

AND:

STATE OF KARNATAKA
BY BASAVESHWARANAGAR
POLICE STATION, BENGALURU CITY
(REP. BY LEARNED STATE PUBLIC
PROSECUTOR) HIGH COURT OF KARNATAKA
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 BNSS) PRAYING TO ENLARGE HIM ON BAIL IN CR.NO.101/2026 OF BASAVESHWARANAGAR POLICE STATION, BENGALURU CITY, WHICH IS PENDING IN S.C.NO.1493/2026 ON THE FILE OF THE LVIII ADDL. CITY CIVIL AND SESSIONS JUDGE, BENGALURU CITY FOR THE OFFENCES P/U/S 103(1), 109 R/W SEC. 3(5) OF BNS 2023.

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 No.1 in Crime No.101/2026 registered by Basaveshwara Nagar Police Station, Bengaluru City for the offences punishable under Section 103(1), 109 read with Section 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.101/2026 was registered by Basaveshwara Nagar Police Station, Bengaluru City for the offence punishable under Section 103(1) read with Section 3(5) of BNS, 2023 against two unknown persons, based on the first information dated 03.03.2026 received from Sri Mehaboob Pasha, Police Officer attached to Basaveshwara Nagar Police Station, Bengaluru City. In the said case, the petitioner was arrested on 05.03.2026 and remanded to judicial custody. After completing investigation, charge

sheet is filed against two persons and the petitioner is arrayed as accused No.1 in the charge sheet. His bail application filed before the jurisdictional Sessions Court in Crl.Misc.No.8810/2026 was rejected on 21.09.2026. Therefore, he is before this Court.

4. The first informant in the present case is a Police Constable, who was on night patrolling. It appears that he had received information about the incident that had taken place near Raghavendra Dosa Corner at Thimmaiah Road within the jurisdiction of Basaveshwara Nagar Police Station on the night of 02.03.2026 and immediately thereafter, he had gone to the spot of crime. After seeing the dead body of deceased Shashi Kumar, he had approached the police and based on his first information, FIR was registered against two unknown persons.

5. During the course of investigation, accused No.1 and his brother were arrested and remanded to judicial

custody. In the charge sheet, which is subsequently filed, it is alleged that on 02.03.2026 at about 23:20 hours, the petitioner had gone to the aforesaid Dosa Corner and had purchased food. It appears that deceased Shashi Kumar and CW.2 were also present near the said hotel and were eating food which they had purchased from the said hotel. When the petitioner came out of the hotel, he allegedly stamped the leg of Shashi Kumar accidentally and therefore, there was a verbal altercation between the two parties. CW.2 and CW.3 pacified the parties and sent away the petitioner.

6. Subsequently, the petitioner allegedly contacted his brother accused No.2, who came near the hotel armed with a knife. Thereafter, the petitioner quarrelled with CW.2 and assaulted him with his hand and when CW.2 fell down, accused No.2 assaulted him with a knife which he had brought with him. When Shashi Kumar tried to interfere, accused No.2 allegedly assaulted Shashi Kumar with the knife which he had with him. As a result, Shashi

Kumar sustained grievous injuries and subsequently succumbed to the same.

7. CW.2 and CW.3 are the eyewitnesses to the incident in question. A reading of their statements would go to show that the allegation of assaulting the injured victim, CW.2, with a knife and also assaulting deceased Shashi Kumar with a knife is found only as against accused No.2, who is arrested and remanded to custody. So far as the petitioner is concerned, the only allegation against him is that he had assaulted CW.2 with his hands after quarrelling with him. It is not in dispute that the petitioner has no other criminal antecedents. Postmortem report of the deceased would go to show that cause of death is due to stab injury to the neck sustained. The said injury is corresponding to the assault made by accused No.2 with a knife.

8. 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 Crime No.101/2026 registered by Basaveshwara Nagar Police Station, Bengaluru City for the offence punishable under Section 103(1), 109 read with Section 3(5) of BNS, 2023, 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.: 86