NC: 2025:KHC:5424
CRL.P No. 338 of 2025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 6TH DAY OF FEBRUARY, 2025

BEFORE

THE HON'BLE MR JUSTICE S VISHWAJITH SHETTY

CRIMINAL PETITION NO. 338 OF 2025 (439(Cr.PC) / 483(BNSS))

BETWEEN:

SANDEEP
AGED ABOUT 18 YEARS,
S/O. VARAHA SRINIVASMURTHY,
R/ AT NO.588, 18TH CROSS, DEVARAJARSU NAGAR,
OLD GUDAHALLI, BEHIND 54TH BUS STOP,
BENGALURU -560 026.

...PETITIONER

(BY SRI NARAYANA REDDY M., ADVOCATE)

AND:

STATE OF KARNATAKA BY
BIDADI POLICE,
RAMANAGAR.

(REP BY THE STATE PUBLIC PROSECUTOR,
HIGH COURT BUILDINGS, AMBEDKAR VEEDI,
BENGALURU-560 001).

...RESPONDENT

(BY SRI M.R. PATIL, HCGP)

Digitally signed by SHIVAKUMAR HIREMATH
Location: HIGH COURT OF KARNATAKA

THIS CRL.P IS FILED U/S 439 CR.PC (FILED U/S 483 BNSS) PRAYING TO RELEASE THE PETITIONER ON BAIL IN CR.NO.254/2024 OF THE RESPONDENT BIDADI POLICE STATION FOR THE OFFENCE PUNISHABLE UNDER SECTIONS 61(2), 310(2) AND 127(2) OF BHARATIYA NAGARIK SURAKSHA SANHITA PENDING ON THE FILE OF THE LEARNED III ADDITIONAL DISTRICT AND SESSIONS JUDGE AT

RAMANAGARA IN S.C.NO.102/2024, ON SUCH TERMS AND CONDITIONS AS THIS HON'BLE COURT MAY DEEM FIT TO IMPOSE IN THE CIRCUMSTANCES OF THE CASE.

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.5 in S.C.No.102/2024 pending before the Court of III Addl. District and Sessions Judge, Ramanagar, arising out of Crime No.254/2024 registered by Bidadi Police Station, Ramanagara, for the offences punishable under Sections 61(2), 310(2) and 127(2) of BNS, 2023, is before this Court under Section 483 of BNSS, 2023, seeking regular bail.

2. Heard the learned counsel for the parties.

3. FIR in Crime No.254/2024 was registered by Bidadi Police Station, Ramanagara, initially for the offences punishable under Sections 310(2) and 127(2) of BNS, 2023, against unknown persons on the basis of the first information dated 11.07.2024 received from Hanumantha Jalikatti S/o Siddappa. During the course of investigation, petitioner herein was arrested on 18.07.2024 and subsequently, remanded to judicial custody.

Investigation in the case is completed and charge sheet has been filed against six persons. Bail application filed by the petitioner before the jurisdictional Sessions Court in Crl.Misc.No.1005/2024 was rejected on 31.12.2024. Therefore, he is before this Court.

4. Learned counsel for the petitioner submits that petitioner is aged about 18 years and has no criminal antecedents. Similarly situated accused No.3 has been granted regular bail by this Court in Crl.P.No.13339/2024. Accordingly, he prays to allow the petition.

5. Per contra, learned HCGP has opposed the petition. However, he does not dispute the submission made by learned counsel for the petitioner.

6. This Court in Crl.P.No.13339/2024 has granted regular bail to accused No.3 and accused No.6 has been granted regular bail by this Court in Crl.P.No.13832/2024. The allegation as against petitioner herein and as against accused No.3 is said to be similar. Petitioner is aged about 18 years and has no other criminal antecedents. Under the circumstances, I am of the opinion that on the ground of parity, he is entitled for

the relief sought for in the petition. Accordingly, the following order:-

7. The petition is allowed. The petitioner is directed to be enlarged on bail in S.C.No.102/2024 pending before the Court of III Addl. District and Sessions Judge, Ramanagar, arising out of Crime No.254/2024 registered by Bidadi Police Station, Ramanagara, for the offences punishable under Sections 61(2), 310(2) and 127(2) 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.: 19 Sl No.: 12