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IN THE COURT OF THE PRINCIPAL CITY CIVIL AND
SESSIONS JUDGE, AT BENGALURU

Dated this the 4th day of April, 2026

PRESENT: Sri M. Chandrashekar Reddy,
B.A., LL.B.
Principal City Civil and Sessions Judge,
Bengaluru.

Crl. Misc. Nos.1172 & 2447 of 2025

Petitioners :1. Vinay Kumar,
(In Crl. Misc. No. S/o Srinivas M.,
1172/2026) Aged about 23 years,
R/at No.69, Hosahalli,
Kanakapura Main Road,
Bengaluru.

2. Mohammed Khaleel D.A.,
S/o Akaram Khan,
Aged about 24 years,
R/at Doddabyagatahalli Villag ,
Holenarasipura,
Hassan District.
(By Sri Manu B.S. Advocate)

Petitioner : Udaykumar @ Uday @ Shiva,
(In Crl. Misc. No. S/o. Late Gangadhara,
2447/2026) Aged about 27 years,
R/at Ganapathipura, 6th Cross,
Near Jyothi School,
Kanakapura Main Road,
Yelachenahalli, Bengaluru.
(By Sri Manjunath B.B., Advocate)

Vs.

Respondent : The State of Karnataka,
(Common in CCB Police Station,
both the petitions) Bengaluru.

[By Sri Chinnavenkataravanappa
Public Prosecutor]

COMMON ORDER

Accused Nos.10 and 12 in Crime No.62/2025 of CCB Police have filed the petition in Crl. Misc. No.1172/2026 under Section 483 of The Bharatiya Nagarik Suraksha Sanhita, 2023 praying to enlarge them on regular bail in the case.

2. Accused No.7 in Crime No.62/2025 of CCB Police have filed the petition in Crl. Misc. No.2447/2026 under Section 483 of The Bharatiya Nagarik Suraksha Sanhita, 2023 praying to enlarge him on regular bail in the case.

3. The prosecution has filed separate objection in these petitions and submitted the report of Investigating Officer in Crl. Misc. No.1172/2026.

4. Heard learned Counsel for Petitioners and learned Public Prosecutor.

5. The following points would arise for the consideration of this Court:

1. Whether the Petitioners are entitled for regular bail as prayed in the petitions?
2. What Order?

6. The findings of this Court on the above points are under:

Point No.1:- In the Affirmative;

Point No.2:- As per final order;
for the following:

REASONS

7. **Point No.1:** CCB Police had registered the case in Crime No.62/2025 against one Rajesh and others for the offenses punishable under Sections 140(2), 308(2), 308(4), 351(2) read with Section 3(5) of BNS, 2023, based on a complaint lodged by one Manoj Kumar H.V. on 28.8.2025. Later, the Investigating Officer obtained prior approval of competent authority to invoke the provisions of KCOC Act in

the case. Accordingly, the Investigating Officer has additionally invoked the provisions of KCOC Act and continued investigation in the case.

7. It is alleged in the complaint that the accused persons kidnapped the complainant, kept him hostage at different places including Vishnupriya Boarding & Lodge near Dabaspeta, extorted Rs.2,20,000/-, and further demanded Rs.10,00,000/- from him by threatening with dire consequences.

8. The Petitioners have stated that they are innocent of the alleged offenses and they were not present at the place of occurrence and have been falsely implicated by the Respondent police. They have neither participated in the alleged incident nor received any amount from the complainant.

The Petitioners further submit that the allegation pertains only to Accused No.1, who is alleged to have borrowed a sum of Rs.1,20,000/- from the Complainant and agreed to repay the same within three months. The present

Petitioners have no connection whatsoever with the Complainant and have not received any amount.

It is further submitted that the Complainant initially lodged the complaint against nine unknown persons. The Respondent police have arbitrarily implicated the Petitioners merely on the ground that they are friends of Accused No.1, while the real culprits have not been apprehended. There is no prima facie case against the Petitioners for the alleged offences of kidnapping and robbery, thereby creating serious doubt in the prosecution case.

The Petitioners submit that no recovery has been made from them and the Investigating Officer has filed the charge sheet, hence, their custodial interrogation is not required.

They further submit that KCOC Act provisions are not attracted to them and have no criminal antecedents. They are ready to abide by any conditions they may be imposed by this Court. Hence, they prayed for allowing of petitions.

9. The prosecution has filed detailed separate objections, along with a report of the Investigating Officer by

contending contending that Accused Nos.1 and 2, along with their associates, Accused Nos.3 to 12, formed a group and, on 26.08.2025 at about 6.30 p.m., kidnapped the complainant Manoj from Modi Circle, Rajajinagar. They took him towards Nelamangala and Dabaspeth, where Accused No.13, Raghavendra @ Bakery Raghu, by contacting Accused Nos.1 and 2 through various mobile phones and issuing instructions, facilitated the commission of the offence. In accordance with those instructions, the accused forcibly collected approximately Rs.3 lakhs from two bank accounts of the complainant Manoj and further demanded the remaining Rs.10 lakhs.

It is further alleged that Accused No.13, Raghavendra @ Bakery Raghu, has been involved in 10 criminal cases over the past 10 years. In those cases, Accused No.3, Srinivasa @ Bombay Seen, and Accused No.7, Uday Kumar @ Udi, are stated to be his associates and members of the criminal gang formed by Bakery Raghu. It is also contended that there are seven cases registered against the Petitioner and that the Petitioner is a rowdy-sheeter. It is further stated that the

Investigating Officer has seized a Mahindra XUV-500 car and a mobile phone from the possession of the Petitioner.

It is further alleged that in the present case, the Petitioners, in collusion with the other accused, assisted in kidnapping the complainant and in confining him as a hostage at Vishnupriya Boarding and Lodge, Dabaspeta. The staff of the said lodge have given statements as witnesses in this regard. Most of the witnesses are known to the accused, and if the Petitioners are released on bail, there is a likelihood that they may influence, threaten or induce the witnesses not to depose. It is also contended that there is a likelihood of the Petitioners destroying digital evidence, including erasing data stored in mobile phones and preventing the police from securing documents. Hence, the prosecution has prayed for dismissal of the petitions.

10. The allegations in the complaint primarily attribute the financial transaction to Accused No.1. The complainant initially lodged the complaint against nine unknown persons. It is not in dispute that the investigation

has been completed and the charge sheet has been filed. Therefore, the custodial interrogation of the Petitioners is no longer required.

11. We are at the stage of considering the bail petition. At this stage, the Court is not expected to conduct a mini trial to ascertain the truth or otherwise of the allegations so made in the complaint. Only on the basis of the prima-facie materials the Court has to judge whether to grant bail to the accused or not.

12. It is also settled law that bail is a rule and rejection is an exception. Granting of bail does not amount to acquittal and rejection thereof does not amount to conviction. Personal liberty of a person cannot be curtailed by putting him behind the bars.

13. The Hon'ble Supreme Court in the case of ***Dataram Singh v. State of Uttar Pradesh, (2018) 3 SCC 22*** held as under:

“A fundamental postulate of criminal jurisprudence is the presumption of innocence, meaning thereby that a

person is believed to be innocent until found guilty. However, there are instances in our criminal law where a reverse onus has been placed on an accused with regard to some specific offences but that is another matter and does not detract from the fundamental postulate in respect of other offences. Yet another important facet of our criminal jurisprudence is that the grant of bail is the general rule and putting a person in jail or in a prison or in a correction home (whichever expression one may wish to use) is an exception. Unfortunately, some of these basic principles appear to have been lost sight of with the result that more and more persons are being incarcerated and for longer periods. This does not do any good to our criminal jurisprudence or to our society.

14. So also, the Hon'ble Supreme Court of India in the case ***Arnesh Kumar v. State of Bihar, (2014) 8 SCC 273***, which makes it mandatory that in any case where the offence is punishable with imprisonment for a term which may extend to 7 years, the accused may not be automatically arrested and the Magistrate may not authorize the detention casually and mechanically.

15. Perusal of the objection statement being filed by the prosecution shows that they are the formal objections being filed to every bail petition by the prosecution. In the petitions the Petitioners have undertaken to abide by the conditions of the Court and to offer surety to the satisfaction of the Court. At the time of considering the bail petitions the Court has to see whether the presence of the Petitioners can be secured before the Court at the time of trial. Therefore, there is nothing on record to indicate that the presence of the Petitioners in this petition cannot be secured before the Court at the time of trial.

16. Considering the nature and gravity of the offense and filing of charge sheet by the Investigating Officer, in the considered view of this court, if the Petitioners are granted bail with stringent conditions, it would safeguard the interest of the prosecution also. Therefore, if all these factual features are put together, the Petitioners have made out grounds to grant them bail as prayed, but subject to conditions. Hence, I record my finding on point No.1 in the ***affirmative***.

17. **Point No.2:** In the result, this Court proceeds to pass the following:

ORDER

The petitions in Crl. Misc. Nos.1172/2026 and 2447/2026 filed under Section 483 of Bharatiya Nagarika Suraksha Sanhita, 2023 are allowed.

The Petitioners in both the petitions are ordered to be released on bail in Crime No.62/2025 of CCB, Bengaluru, subject to following conditions:

1. The Petitioners shall execute a personal bond for Rs.2,00,000/- each along with a surety for the like sum to the satisfaction of the Court.
2. The Petitioners shall not threaten or tamper any of the prosecution witnesses in any manner.
3. The Petitioners shall appear before the Court or the Investigating Officer as the case may be, as and when directed to do so and cooperate with further investigation and proceeding of the case.

4. The Petitioner shall furnish details of their present place of residence, registered mobile numbers and e-mail IDs if any along with supporting documents.
5. The Petitioners shall not change their place of residence pending disposal of the case without prior permission of the Court.

Original copy of the Order is kept in Crl. Misc. No.1172/2026 and copy thereof is kept in Crl. Misc. No.2447/2026.

(Dictated to the Stenographer Grade-II directly on the computer, typed by her, then corrected and pronounced by me in the Open Court on this the 4th day of April, 2026)

(M. Chandrashekar Reddy)
Principal City Civil & Sessions Judge,
Bengaluru.