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

Dated this the 8th day of April, 2026

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

Crl. Misc. No.2771/2026

Petitioner : Ukesh R.,
S/o. Rajendran,
Aged about 30 years,
R/at No.9, 1st Main Road,
Markandeshwara Nagar,
Binny Park Lane,
Magadi Road, Bengaluru – 560 023.

(By Sri V.G. Ravindra Advocate)

Vs.

Respondent : The State of Karnataka,
CCB Police Station,
Bengaluru.

[By Sri Chinnavenkataravanappa
Public Prosecutor]

ORDER

Accused No.6 in Crime No.62/2025 of CCB Police has
filed the petition under Section 483 of the Bharatiya Nagarik

Suraksha Sanhita, 2023 praying to enlarge him on regular bail in the case.

2. The prosecution has filed objection to the petition.

3. Heard learned Counsel for Petitioner and learned Public Prosecutor.

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

1. Whether the Petitioner is entitled for regular bail?

2. What Order?

5. 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

6. **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 Dabaspeth, extorted Rs.2,20,000/-, and further demanded Rs.10,00,000/- from him by threatening with dire consequences.

8. The Petitioner has stated that he is innocent of the alleged offenses and has been falsely implicated by the Respondent police. The name of the Petitioner was not mentioned either in the FIR or in the complaint. He has neither participated in the alleged incident nor received any amount from the Complainant.

The Petitioner 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 Petitioner has no connection whatsoever with the Complainant and have not received any amount.

The Petitioner submit that no recovery has been made from them and the Investigating Officer has filed the charge sheet, hence, his custodial interrogation is not required. He further submit he is newly married to Priya Dharshini and at the time of his arrest and remand to judicial custody, his wife was pregnant. Since then, she has been facing severe health and financial difficulties. Thereafter, she delivered a baby and the condition of both mother and child is now critical in the absence of the Petitioner. The family is also awaiting the naming ceremony of the child. The Petitioner's parents are aged and suffering from age-related ailments. If he is not released on bail, his wife and family members will be subjected to great hardship. He further submit that KCOC Act provisions are not attracted to and have no criminal

antecedents. He is 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 objections 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 Dabaspet, 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 in the present case, the Petitioner, 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 Petitioner is released on bail, there is a likelihood that he may influence, threaten or induce the witnesses not to depose. It is also contended that there is a likelihood of the Petitioner destroying evidence. Hence, the prosecution has prayed for dismissal of the petition.

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 Petitioner 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. In the petition the Petitioner has 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 petition the Court has to see whether the presence of the Petitioner can be secured before the Court at the time of trial. Therefore, there is nothing on record to indicate that the presence of the Petitioner in this petition cannot be secured before the Court at the time of trial.

16. Considering the nature and gravity of the offence and filing of charge sheet by the Investigating Officer, in the considered view of this court, if the Petitioner is granted bail with stringent conditions, it would safeguard the interest of the prosecution also. Therefore, if all these factual features are put together, the Petitioner has 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 petition filed by the Petitioner under Section 483 of Bharatiya Nagarika Suraksha Sanhita, 2023 is allowed.

The Petitioner is ordered to be released on bail in Crime No.62/2025 of CCB, Bengaluru, subject to following conditions:

1. The Petitioner shall execute a personal bond for Rs.2,00,000/- along with a surety for the like sum to the satisfaction of the Court.

2. The Petitioner shall not threaten or tamper any of the prosecution witnesses in any manner.
3. The Petitioner 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 his present place of residence, registered mobile number and e-mail ID if any along with supporting documents.
5. The Petitioner shall not change his place of residence pending disposal of the case without prior permission of the Court.

(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 8th day of April, 2026)

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