

KABR010028602026



**IN THE COURT OF PRINCIPAL DISTRICT & SESSIONS
JUDGE, BENGALURU RURAL DISTRICT, BENGALURU.**

Dated this the 06th day of July, 2026.

PRESENT:

Smt. B.S. Rekha, B.A.(LAW), LL.M.,
Principal District & Sessions Judge,
Bengaluru Rural District,
Bengaluru.

Crl.Misc.No.1241/2026

Petitioner:- Sanjay R @ Sanju, A.3
S/o Ravi,
Aged about 20 years,
R/at: No.267, 4th Cross,
Old Guddadahalli,
Bhumatha Seva Sangha Jantha
Colony, VTC-Bengaluru South,
Bengaluru – 560 026.

*Represented by
Smt.Chaitanya G-Advocate.*

V/s.

Respondent : State of Karnataka by
Kumbalagudu Police Station.

*Represented by
learned Public Prosecutor.*

O R D E R

The learned counsel for petitioner has filed this petition U/S.483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter called as BNSS, 2023 for convenience) praying for release of petitioner on regular bail in S.C.No.40/2026 (Crime No.299/2025) of Kumbalagodu Police Station, Bengaluru Rural District for the offences punishable under Ss.103(1), 238, 61(2) (a) of Bharatiya Nyaya Sanhita, 2023 (hereinafter called as BNS, 2023 for convenience) on the file of this Court.

2.1. The facts of complaint are narrated in detail in the bail petition. It is further stated in the bail petition that the petitioner entirely innocent of the alleged offence and has not committed any of the offence as alleged. He has no motive whatsoever to commit the alleged offence. The prosecution itself alleges that the disputes, if any, were between the deceased and accused Nos.1 and 4. The petitioner had

no personal enmity or grievance against the deceased. The petitioner was not aware that the deceased was the husband of accused No.1 and the father of accused No.4. Therefore, there was no reason for the petitioner to participate in any alleged conspiracy against the deceased, but he has been falsely implicated on the basis of his acquaintance with accused No.4 and certain circumstances relied upon by the prosecution. No independent material establishes that the petitioner shared any intention or motive to commit the alleged offence. On 10.09.2025, the accused No.4 requested the deceased to meet near Seegehalli in the evening and instructed petitioner to pick deceased from the said place. The petitioner was not aware that the deceased was husband of accused No.1 and father of accused No.4. When the deceased and accused No.2 entered KEG & PEG Bar and consumed alcohol, the petitioner remained outside the bar and did not participate in their activities. Thereafter, as per the instructions of

the deceased and accused No.2, accordingly, the petitioner left the spot and was not present at the place when the alleged incident is stated to have occurred. Upon returning to the spot, he found the deceased lying on the ground covered with mud. The petitioner was taken into custody on 14.09.2025, after he responded to the call made by accused No.4 and voluntarily went to her residence. The conduct of the petitioner clearly demonstrates that he had no intention to abscond. He is ready to abide by any condition that may be imposed by this Court. He is also ready and willing to offer surety to the satisfaction of this Court.

2.2. It is stated that accused No.1 & 4 have already been enlarged on bail by the Hon'ble High Court of Karnataka in Criminal Petition No.3433/2026 and Criminal Petition No.593/2026, vide order dated 09.04.2026. While granting bail, the Hon'ble High Court was pleased to observe that the prosecution case

is based substantially on circumstantial evidence. Hence, he is entitled to be enlarged on bail on the same terms and conditions as imposed upon accused Nos.1 and 4. Hence, prayed for allowing the petition.

3. The Learned Public Prosecutor has filed objections to the petition, wherein he has narrated the entire facts of the case in short and contended that the offences committed by the petitioner is heinous in nature. The FSL report and CDR report is yet to be received. Further stated that if petitioner is granted with regular bail, there is every chance of tampering with the witnesses, hampering the investigation and committing similar offences. Hence, prayed for rejection of bail petition.

4. Heard arguments.

5. From the above facts, the points that arise for consideration are:-

1. *Whether the petitioner is entitle for regular bail?*
2. *What order?*

6. Findings of this Court on the above points are as under:-

Point No.1: ***In Affirmative;***

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

REASONS

7. **Point No.1:-** The Police Inspector, Kumbalagodu Police Station, Bengaluru has filed charge-sheet against the accused persons alleging the offences punishable under Ss.103(1), 238, 61(2)(a) of BNS, 2023.

8. The case of the prosecution is that the accused No.1 and deceased Sathish are wife and husband and that they have a daughter by name Sneha/accused No.4. As the deceased Sathish was not properly employed and was not looking after the accused No.1 &

4, accused No.1 left the deceased Sathish and resided separately along with her daughter/accused No.4 and started working in a garments factory for her maintenance. The deceased would trace her whereabouts and frequently use to visit the accused No.1 and pick up quarrels with her and was subjecting her to harassment. Therefore, in the year 2022-23, accused No.1 started to live with her relative-accused No.2, but the deceased-Sathish traced her and was insisting her to disclose the whereabouts of accused No.4. Being frustrated, the accused No.1 and 4 along with accused No.2 and accused No.3/petitioner committed the murder of Sathish and disposed of the dead body at Soolekere, Kempegowda Layout, 9th Block, Kenchapura. Thereafter, the complainant who was a stranger noticed the dead body and gave complaint before the respondent police.

9. The above facts alleged in the complaint *prima-facie* reveal the offences punishable U/Ss.103(1), 238, 61(2)(a) of BNS, 2023, which are non-bailable in nature. The maximum punishment for offence U/S.103 of BNS, 2023 is death or imprisonment for life and fine and triable by the court of Sessions.

10. Based on this complaint, petitioner who is accused No.3 was arrested and now he is in judicial custody.

11. On perusal of the records, it is seen that the offence under S.103(1) of BNS, 2023 is alleged against the accused persons. On perusal of the records and CIS, it could be seen that the accused No.1 & 4 are already granted bail by the Hon'ble High court of Karnataka in Crl. Petition No.3433/2026 and Crl. Petition No.593/2026, wherein their Lordships have held that the entire case appears to be based on circumstantial evidence and applied the principle that

bail is a rule and jail is an exception and granted bail. In the instant case, the petitioner is accused No.3, according to him, he picked the deceased as per the instructions of accused No.4 and except that he has no role. Hence, as the petitioner who assisted the other accused is also entitled for bail on the ground of parity.

12. Anyway, the petitioner is already arrested and after investigation he is remanded to judicial custody. Thus, his custodial interrogation is not required. Furthermore, the petitioner is ready to furnish surety and would abide by the terms and conditions that may be imposed by this Court for his release. Hence, the apprehension of learned Public Prosecutor that tampering and threatening prosecution witnesses, commission of similar offences and abscondence of petitioner could be safeguarded by imposing suitable conditions. Hence, this Court holds that petitioner is entitle for bail with some suitable conditions.

Accordingly, the point No.1 is answered in the ***Affirmative***.

13. **Point No.2:-** In view of findings on point No.1, this Court proceeds to pass the following:-

ORDER

The bail petition filed under Section 483 of BNSS, 2023 is hereby ***allowed***.

The petitioner is released on bail in Kumbalagodu Police Station, Bengaluru Rural District, in S.C.No.40/2026 (Crime No.299/2025) for the offences punishable U/Ss. 103(1), 238, 61(2)(a) of BNS, 2023 on they executing self-bond for a sum of ₹.1,00,000/- with a surety for likesum to the satisfaction of this court subject to following conditions:

1. Petitioner shall not threaten or tamper with the prosecution witnesses directly or indirectly.
2. He shall not commit similar offences.
3. The petitioner shall appear before this Court regularly without fail till

completion of trial without exception.

4. The surety is directed to produce title deeds of the property before the jurisdictional Magistrate.

If any of these conditions are violated, then, the bail bond will be automatically cancelled.

(Dictated to the Stenographer Grade-I, transcribed and typed by him, corrected, print out taken, signed and pronounced by me in the open Court on this the 06th day of July, 2026)

(B.S. REKHA)

Prl. District & Sessions Judge,
Bengaluru Rural District,
Bengaluru.