

KADK010022912026



**In the Court of Principal District and Sessions
Judge, D.K., Mangaluru.**

-:Present:-

Sri Basavaraj, B.Com., LL.M.,
Principal District and Sessions Judge

Dated this the 17th day of June, 2026.

Spl.C./101/2026

Complainant: The State
Through the Police Sub-Inspector,
Urva Police Station,
Rep. by Public Prosecutor,
D.K. District.
(By Learned Public Prosecutor)

Versus

Accused No.1: Mr. Manish,
Aged 20 years,
S/o. Balakrishna,
R/at Suraksha Nagar,
Kumpala, Kotekar,
Mangalore, D.K.

(Sri. Yogeshwaran K.S., Advocate)

i	Provision under which the applications are filed	U/Sec.483 of B.N.S.S., 2023
ii	Relief sought for	Regular bail.
iii	The date on which the application is filed	09.06.2026
iv	Number of the application	Fifth

v	The date on which the objections are filed by different opponents	11.06.2026
vi	The date on which the orders were passed on the said application	17.06.2026.

ORDER

This bail application is filed by the Accused No.1 u/Sec. 483 of B.N.S.S., 2023 for grant of regular bail in Spl. Case No.101/2026 (Urwa P.S. Crime No.21/2026) registered for the offence punishable u/s 8(c), 22(b) & 27(b) of the NDPS Act, 1985.

2. Learned Public Prosecutor filed objections to the bail application along with report of Investigating Officer.

3. The points that would arise for consideration are as under:

1) Whether the Accused No.1 is entitle for grant of regular bail?

2) What Order?

4. Heard and perused the records.

5. My finding to the above points are as follows:

Point No.1 : In the Affirmative,

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

REASONS

6. **Point No.1:** The averments of charge sheet reveals that on 20.02.2026 at 3.45 p.m. the accused No.1 to 3 obtained contraband MDMA from one Bunder Appu and illegally kept it without any license and on 20.02.2026 in the afternoon, the accused No.1 to 3 came on Yamaha Company bike bearing KA-19/EU-6973 to Kodikal 9th B Cross, Bangra Kuloor Village, Mangaluru Taluk in order to sell the same to the customers. At that time the CW-1 along with CW-4 to 8 came to said spot in their departmental vehicle and on seeing the departmental vehicle, the accused No.1 to 3 tried to turn their bike towards Nagabrahma Sannidhi Road, but they did not proceed further due to road repair work and stopped the bike. At that time CW-4 apprehended the accused No.4, CW-5 apprehended the accused No.2 and CW-6 apprehended the accused No.3 and produced before the CW-1 and on questioning the accused No.1 to 3, they revealed that they came to sell MDMA without license and accordingly, they seized 10.77 grams of Methamphetamine, small zip lock covers-12, glass Bhang Pot, cash of Rs.1000/-, Iphone mobile, from the possession of accused No.1, 2.11 grams of Methamphetamine, cash of Rs.500/-, Samsung Galaxy A14 5G mobile from the possession of accused No.2 and 3.64 grams of Methamphetamine, small zip lock covers-3, Vivo mobile phone and Bike from the

possession of accused No.3. On medical test, the accused No.1 to 3 found to be consumed Amphetamine & Methamphetamine & Tetrahydracannabinoid. Therefore, the accused No.1 to 3 have committed an offence punishable u/s 8(c), 22(b) & 27(b) of the NDPS Act, 1985.

7. The Accused No.1 is in Judicial custody. Now the accused No.1 came up with this application seeking regular bail.

8. In the application, it is stated by the Accused No.1 that he is a student of 1st year BBA Degree at SDM College, Mangaluru. Due to custodial detention, he was not able to attend the classes. He is permanently residing in the above mentioned address. He is ready to abide by any conditions that may be imposed by the court and also ready to offer surety for his release on bail. So, prays to allow the application.

9. Learned Public Prosecutor has filed objections to the application contending that there are reasonable grounds to believe that the accused No.1 has committed the alleged offences. The police have seized contraband, mobile phones, zip lock plastic covers, cash and other properties from the possession of Accused persons and reported the same to the court. The accused persons have consumed Methamphetamine as per medical test. Apart from this case,

three more criminal cases are registered against the accused No.1. In recent times, fatal attacks and other crimes are being committed by drug addicts, and the drug menace is increasing in the coastal area and young people and students are falling victim to this addiction. If the Accused No.1 is granted regular bail, he may commit similar kind of offences. Hence, prays to reject the application.

10. As stated above, it is the case of prosecution that the police have seized 10.77 grams of Methamphetamine from the possession of accused No.1. As per Central Government notification up to 2 grams of Methamphetamine is small quantity and 50 grams and above quantity of Methamphetamine is commercial quantity. In this case the seized total quantity of Methamphetamine is of intermediary quantity. Hence, the rigor of Sec.37(1)(b)(ii) of NDPS Act is not applicable to the case on hand.

11. In the present case, the charge sheet has been filed. As already the police seized the contraband from the possession of the accused No.1, hence the accused No.1 is not required for custodial interrogation. The Accused No.1 is the permanent resident in the given address. Hence, the presence of Accused No.1 can be secured for the purpose of trial. The apprehension of prosecution about tampering of witnesses, further absconding of Accused No.1, flee from justice and coming in the way of investigation can be

safeguarded by imposing conditions. The Accused No.1 is ready to abide by the conditions that may be imposed on him. Having regard to the facts and circumstances of the case, this court feels it just and proper to grant bail to the Accused No.1. Hence, for these reasons, this Court answered Point No.1 in the Affirmative.

12. **Point No.2:** In view of reasons and finding given on Point No.1, this Court proceeds to pass the following:

ORDER

The bail application filed by the accused No.1-Manish u/Sec.483 of B.N.S.S. is allowed.

The Accused No.1 is released on bail in this case, on execution of personal bond of Rs.1,00,000/- with a surety of like-sum, subject to the following conditions:

- 1) He shall not commit similar offence.
- 2) He shall not abscond.
- 3) He shall not tamper the prosecution witnesses by exercising threats, inducements or otherwise.
- 4) He shall not destroy the prosecution evidence.

- 5) He shall appear before the court regularly on all dates of hearing except his presence is exempted.
- 6) He shall surrender his passport within one week from the date of his release. If he did not possess the same, he has to file an affidavit to that effect on next day of his release.
- 7) He shall produce address proof documents such as Voters ID or Aadhaar Card pertaining to him and his surety at the time of executing bail bond.
- 8) He shall furnish his residential address and shall inform the court, if there is change in the address.
- 9) He shall furnish his mobile number, WhatsApp number and e-mail ID (if available).

(Dictated to the Stenographer Grade-III, typed by her directly on computer, corrected and signed by me and then pronounced in the open court on this the 17th day of June, 2026).

(Basavaraj)

Principal District & Sessions Judge,
D.K., Mangaluru.