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**IN THE COURT OF THE I ADDL. DIST. & SESSIONS JUDGE,  
RAMANAGARA**

**PRESENT:**

**Smt. M. Panchakshari, M.Com.,LL.B,  
I Addl. Dist. & Sessions Judge, Ramanagara.**

**Dated this the 23<sup>rd</sup> day of April, 2026**

**Crl.Misc.No.176/2026**

Petitioner/

Accused No.2 :

Shahida @ Shahid Pasha,  
S/o. Ajaj Pasha,  
Aged about 22 years,  
R/at Ward No.23, Near Masjid,  
Tippu Nagar, Ramanagara Town,  
Bengaluru South District.

**(By Sri.C.K.L., Advocate)**

**Vs.**

Respondent:

The State of Karnataka  
by Ramanagara Town P.S.,  
Bengaluru South District.

**(By Learned P.P., Ramanagara)**

**O R D E R**

The petitioner/accused No.2 had filed this petition U/Sec.483 of Bharatiya Nagarika Suraksha Sanhita-2023, praying to grant bail in connection to Crime No.23/2026 of Ramanagara Town Police Station

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registered for the offences punishable under Secs.109, 115(2), 118(1), 126(2), 351(2), 352 R/w Sec.3(5) of Bharatiya Nyaya Sanhita-2023.

2. The petitioner who being the accused No.2 herein had reiterated the contentions of the complaint and contended that, he had not committed any such offence as alleged in the case and he is innocent person, with an intention to harass the petitioner falsely implicated him in the present case. The alleged incident is said to have taken place on 04.03.2026 at 5-15 a.m., but complaint came to be lodged on 05.03.2026 at 11-30 p.m. There is one day delay in lodging the complaint, but same had not been properly explained. The petitioner is a coolie worker and leading respectable life in the society. There is no any criminal antecedent as against the petitioner. He is permanent resident of the address shown in the cause title and law abiding citizen. He is ready to co-operate with the investigating agency at the time of investigation and undertakes not to hampering the prosecution witnesses. He is ready to abide by any conditions that would be imposed by this court and also appear before the court on all dates of hearing without fail and furnish surety to the satisfaction of the court. Hence, prayed to release on bail by allowing the petition.

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3. The learned Public Prosecutor had filed the objections by reiterating the allegations in the complaint and contended that, there are sufficient materials to makes out the commission of the alleged offence by the petitioner so, he is not entitled for release on bail. The accused No.1 to 3 having arrested on 06.03.2026 their statement is recorded and based on their statement spot mahazar is drawn in the place identified by them. The accused No.4 having arrested on 11.03.2026 and the police had seized the knife and two wheeler vehicle said to be used in commission of the alleged crime. The alleged act is committed with an intention to commit murder of the injured on account of past enmity and his three fingers of left hand had been cut off in the incident. The offences alleged against the petitioner is punishable with imprisonment for life. The investigation is in progress. The grounds urged on behalf of the petitioners is only with sole intention to obtaining the bail. So if the petitioners is released on bail, there is every chances of they permanently absconding from the process of the court and tampering the prosecution witnesses and thereby hampering the investigation and protract the trail without assisting to the investigating agency for collection of vital material pertaining to the present crime. Hence, prayed for rejection of the petition.

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4. Heard the learned counsel for the petitioner/accused No.2, the learned Public Prosecutor for the State.

5. The following points arise for court consideration;

1) Whether the petitioner/accused No.2 makes out sufficient grounds for his enlargement on bail Sec.483 of B.N.S.S.?

2) What order?

6. The findings of this court on the above points are as under;

Point No.1:- In the Negative.

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

### **REASONS**

7. **Point No.1**:- On going through the documents produced by the petitioner, it clearly shows that the respondent police have registered the case against the petitioner and others for the offence punishable under Secs.109,115(2), 118(1), 126(2), 351(2), 352 R/w Sec.3(5) of Bharatiya Nyaya Sanhita-2023.

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8. The allegations against the petitioner is that, on 04.03.2026 at 5-15 a.m., the son of the complainant had went to the mosque for Namaz. at about 7-30 a.m., someone came and informed that his son is admitted to District Hospital for treatment. Hearing this information, he went to the hospital and came to know that his son had been taken to Victoria Hospital for higher treatment. On enquiry with his injured son, he came to know that in the morning when he was going for Namaz, the accused persons of this case came in two wheeler vehicle and restrained the injured and came to assault him by holding the choppers. At that time, he got escaped and ran away inside the mosque. Thereafter, at 6-00 a.m., when the injured was in the mosque the accused persons came to that spot and called the son of the complainant saying that they need to talk to him and took him in two wheeler vehicle and thereafter, near Kannada School of Yarab Nagar, accused No.1 assaulted the son of the complainant on his head. At that time, injured fell down when he tried to escape from the spot, accused No.2 gave chopper to accused No.1 and instigated accused No.2 to commit murder of son of the complainant. At that time, the rest of the accused persons abused him in filthy language and assaulted with their hands, accused No.1 kicked with his legs and when accused No.1 tried to assault

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the injured over his neck so as to commit his murder. The injured had raised his hands and on account of it his three fingers of left hand got cut off, when he started screaming with pain, accused persons ran away from the spot. Thereafter, with the help of the person who was proceeding on the road, the injured could come to the hospital for treatment.

9. If the contention of the petitioner is taken into consideration, whereby it is stated that petitioner had not committed any such act and as per the complaint averments itself he had only abused the injured and given the chopper to accused No.1. So, the offences alleged cannot be made applicable to him. It is his further contention that, the injured and other persons had attempted to commit murder of accused No.1 by assaulting him with knife. So, in connection to the said incident complainant is lodged which is registered in Crime No.11/2026 for the offence punishable under Section 109, 115(2), 351(2), 352 R/w Sec.3(5) of BNS. Thereafter, so as to rescue themselves from the serious allegations the present complaint is filed with false allegation. If at all the alleged incident had taken place with the such serious injury, nothing prevented the complainant to lodge the complaint on the very same day. But, there is delay of more than 24 hours if

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at all the injured was in treatment. The complainant could have informed the Doctor to bring it to the notice of the concerned jurisdictional police. Even the person who is said to have taken the injured to the hospital also had not informed the police. The place where the alleged incident had taken place is public place and there are residential houses. So, if at all any such incident had taken place, any of the public or the resident would have come forward to protect the injured or lodge the complaint. It is also contended that the injured and his friends are having criminal antecedents and they are the participants in several quarrel and also they are involved in murder case and several complaints are registered against them in Ramanagara Town Police Station. So, as the petitioner is arrested in this case, he had been sought for his enlargement on bail.

10. Having perused the first information report and the complaint as well as the remand application, the petitioner herein is accused No.2 in the case and he was arrested on 06.03.2026, the offence under Section 109 of BNS with the corresponding Section 307 of IPC is punishable with imprisonment for life and it is triable by the Court of Sessions. The investigation is still in progress and the statement of some of the witnesses

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are yet to be recorded and based on the statement of accused persons, the weapon used for commission of the offence and also the vehicle is seized in this case which makes out the involvement of the petitioner in this case. Apart from that, the injured has sustained grievous injury whereby his three fingers of left hand is cut off when he had raised his hands so as to protect him from the hard blow with the chopper on his neck. So, the intention of the accused persons is very much clear whereby with an intention to commit the murder of the injured the accused persons had assaulted him on account of the past animosity in connection to sandalwood procession.

11. The petitioner had produced copy of the order in Crl.Misc.No.110/2026 on the file of Prl. District & Sessions Judge, Ramanagara and submitted in the arguments that accused No.1 and 3 in connection to Crime No.11/2026 wherein accused No.3 Mohammed Ayyan Pasha S/o Beezer Pasha is none other than the injured herein. So, it is submitted in the arguments that he had already been enlarged on bail. Having perused the orders whereby as per the summary of the case, the alleged incident in connection to the said case is said to have taken place on 6.02.2026 and the accused persons were granted bail for the reason that, if at all

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injury is caused with knife, the injured should have taken treatment in the hospital as inpatient. But, there is no any document to make out for having taken treatment as inpatient. Hence, there are no materials to attract the offence under Section 109 of BNS. So, on that ground the bail had been granted, but the averments in the present complaint is taken into consideration the alleged incident is said to have taken place on 04.03.2026 and as the injured was severely injured he had been shifted to Victoria Hospital and thereafter, the complainant who being the father had lodged the complaint on 05.03.2026. So, their complaint got later registered with Crime No.23/2026. The incident alleged in the present complaint is the prior complaint and if the contention of the Learned Public Prosecutor is taken into consideration whereby the son of the complainant is severely injured, where his three fingers got cut off due to the assault with the chopper. So, considering the fact of the nature and gravity of the offence as all the four accused persons are said to be arrested in this case and as investigation is still in progress, as offence alleged is punishable with imprisonment for life, this Court is of the opinion that it is not a fit case to grant bail in favour of the petitioner at this stage. In the circumstance, I hold the above point in Negative.

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12. **Point No.2**:- In view of the discussions made supra, this court proceeds to pass the following;

**ORDER**

The bail petition filed by the petitioner/  
accused No.2 under Section 483 of BNS-2023,  
is hereby dismissed.

(Dictated through Aadalath AI, thereafter transcribed by Stenographer Grade-I and after corrections, printout taken and then pronounced and signed by me in the open Court, on this the **23<sup>rd</sup> day of April 2026**).

(M. Panchakshari)  
I Addl. District & Sessions Judge,  
Spl. Judge, Ramanagara.