



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 26TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE SHIVASHANKAR AMARANNAVAR

CRIMINAL PETITION NO. 236 OF 2026
[(438(Cr.PC) / 482(BNSS))]

BETWEEN:

JABIULLA KHAN
S/O SANAULLA KHAN,
AGED ABOUT 31 YEARS,
R/AT: GOVINDAPURA,
MADALKOTE POST, NELAMANGALA,
BENGALURU RURAL - 562 123.

...PETITIONER

(BY SRI. SYED KHADER NAWAZ, ADVOCATE)

AND:

STATE BY NELAMANGALA RURAL P.S.
REPRESENTED BY LEARNED
STATE PUBLIC PROSECUTOR,
HIGH COURT OF KARNATAKA,
BENGALURU - 560 001.

...RESPONDENT

(BY SRI. M.R. PATIL, HC GP)

THIS CRL.P IS FILED UNDER SECTION 438 CR.PC (FILED
U/S 482 BNSS) PRAYING TO ENLARGE THE PETITIONER ON
BAIL BY GRANTING ANTICIPATORY BAIL TO HIM, IN THE
MATTER BEARING CRIME NO.378/2025 FOR THE ALLEGED
OFFENCE PUNISHABLE UNDER SECTION 109(1) READ WITH





190 OF BNS, 2023 AND 27(2) OF THE ARMS ACT, 1959
PENDING BEFORE THE PRINICIPAL CIVIL JUDGE (JR.DN.) AND
JUDICIAL MAGISTRATE FIRST CLASS COURT, NELAMANGALA
AND DIRECT THE POLICE TO RELEASE THE ACCUSED/
PETITIONER ON BAIL IN THE EVENT OF HIS ARREST.

THIS PETITION COMING ON FOR ORDERS, THIS DAY,
ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE SHIVASHANKAR AMARANNAVAR

ORAL ORDER

This petition is filed by accused No.10 under Section
482 of Bharatiya Nagrika Suraksha Sanhita, 2023 praying
to grant anticipatory bail in Crime No.378/2025 of
Nelamangala Rural Police Station registered for offence
punishable under Section 109(1) read with Section 190 of
Bharatiya Nyaya Sanhita, 2023 and Section 27(2) of Arms
Act, 1959.

2. Heard learned counsel for petitioner and
learned High Court Government Pleader for respondent -
State.



3. Learned counsel for petitioner would contend that, the allegation against this petitioner is that he gave pistol to accused No.4. The said allegation is made based on the statement of accused No.4. There is no allegation against this petitioner shooting with a gun on the injured. The petitioner is ready to cooperate with the investigation and abide by any conditions imposed by this Court. With these, he prayed to allow the petition.

4. Per contra, learned High Court Government Pleader for respondent would contend that, the petitioner gave pistol to accused No.4. The said aspect has been stated by accused No.4 in his statement. An unknown person who took gun from accused No.4 and shot at the injured. The petitioner is required for custodial interrogation. With these, he prayed for dismissal of the petition.



5. Having heard the learned counsels appearing for parties, the Court has perused the FIR, complaint and other materials placed on record.

6. The name of this petitioner has not been shown as accused in the FIR or remand application of accused Nos.1 to 4 dated 01.11.2025. The allegation against this petitioner is that he gave pistol to accused No.4. Accused No.4 has been granted bail by this Court in Criminal Petition No.16828/2025. An unknown person is stated to have shot at the injured. The said unknown person has taken the gun from accused No.4. There is no allegation against this petitioner shooting at the injured. The petitioner has undertaken to cooperate with the Investigating Officer in investigation and abide by any conditions to be imposed by this Court. There are no criminal antecedents of the petitioner.



7. Considering all the above aspects, the petitioner has made out a case for grant of anticipatory bail with conditions. In the result, the following;

ORDER

The Criminal Petition is ***allowed***. The petitioner is granted anticipatory bail in Crime No.378/2025 of Nelamangala Rural Police Station and is ordered to be released on bail in the event of his arrest, subject to following conditions:

- i) *The petitioner shall voluntarily appear before the Investigating Officer/ jurisdictional Court within 15 days from this day and execute bail bond for a sum of Rs.1,00,000/- (Rupees One Lakh only) with one surety for the like-sum to the satisfaction of the Investigating Officer/ jurisdictional Court.*
- ii) *The petitioner shall not tamper the prosecution witnesses either directly or indirectly.*



- iii) The petitioner shall cooperate with the Investigating Officer in further investigation, if any.*
- iv) The petitioner shall appear before the Investigating Officer whenever called for.*
- v) The petitioner shall appear before the trial Court on all dates hearing unless exempted and cooperate for speedy disposal of the case.*

Sd/-
(SHIVASHANKAR AMARANNAVAR)
JUDGE