



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 24TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE S RACHAIAH

CRIMINAL PETITION NO. 397 OF 2026

(439(Cr.PC) / 483(BNSS))

BETWEEN:

MR. SHASHI TEWAR
@ BHASKARA BELCHAPADA
S/O LATE RAM BELCHAPADA,
AGED ABOUT 68 YEARS,
R/AT CHENNAYYA MOOLE,
KANYANA, NEAR RIVER,
KANYANA, VITTLA,
DAKSHINA KANNADA - 574 279.

...PETITIONER

(BY SRI. ASHWIN JOYSTON KUTINHA.,ADVOCATE)

AND:

STATE OF KARNATAKA
THROUGH ULLALA POLICE STATION,
REP. BY STATE PUBLIC PROSECUTOR
HIGH COURT BUILDING,

Digitally
signed by
PAVITHRA
N

Location:
High
Court of
Karnataka



BENGALURU – 560 001.

...RESPONDENT

(BY MS. ASMA KOUSER.,ADDL. SPP)

THIS CRL.P FILED U/S 439 CR.P.C (U/S 483 BNSS) PRAYING TO RELEASE THE PETITIONER ON REGULAR BAIL CONDITIONALLY PENDING TRIAL IN SC.NO.134/2025, FOR THE OFFENCES P/U/S 126(2), 127(7), 309(4), 310(2), 351(2), 324(6), 331(5), 61, 238, 311, 317(3), 317(5) OF BNS, U/S 3(1),4,25(1b)(b),27(1) OF ARMS ACT, PENDING ON THE FILE OF THE HON'BLE VI ADDL. DISTRICT AND SESSIONS JUDGE, D.K., MANGALURU, WHICH IS REGISTERED IN PURSUANCE OF CR.NO.7/2025 OF ULLALA P.S., BY THE RESPONDENT POLICE AND ALSO SUCH OTHER AND FURTHER RELIEF AS THIS HON'BLE COURT DEEMS FIT CONSIDERING THE FACTS AND CIRCUMSTANCES OF THE CASE TO MEET THE ENDS OF JUSTICE.

THIS CRL.P, COMING ON FOR ORDERS, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE S RACHAIAH



ORAL ORDER

1. This criminal petition is filed by the petitioner herein who is arrayed as accused No.5 seeking regular bail in Crime No.7/2025 filed by the respondent-Police for offences punishable under Section 126(2), 127(7), 309(2), 309(4), 310(2), 351(2), 324(1) r/w 3(5) of the Bharatiya Nyaya Sanhita, 2023 and under Section 3(1) of Indian Arms Act, 1959 and under Section 4 of Arms Act, 1959 and under Section 25(1B)(b), 27 of Indian Arms Act, 1959.

Factual matrix of the case:

2. The case of the prosecution is that the complainant was working as a Manager of Kotekar Agricultural Co-operative Society situated on K.C.Road of Talapady, Mangaluru City, while he was on duty on 17.01.2025 around 12.45 p.m. one Sri.Sandeep Hegde had visited the bank to repair CCTV. In the meantime five unknown persons entered the bank and showed the fire



arms, weapons and threatened them and committed dacoity of both gold ornaments and cash worth Rs.4.00 Crores, thereafter, they fled away from the spot. Based on the said information, the respondent-Police have registered a case, conducted investigation and submitted the charge-sheet.

3. Heard Sri. Ashwin Joyston Kutinha, learned counsel for the petitioner and Smt. Asma Kouser, learned Additional Special Public Prosecutor for respondent.

4. Learned counsel for the petitioner submits that the petitioner is innocent of alleged offences and he has been falsely implicated in this case. The petitioner is the accused No.5. The allegations leveled against him are that he had informed accused No.1 that the bank has huge gold ornaments and also cash. Further, it is alleged against him that he had conspired with other accused and he is instrumental for the said committed dacoity.



5. It is further submitted that the petitioner has been falsely implicated in this case on the basis of voluntary statement of the co-accused. The petitioner may be enlarged on bail by imposing suitable conditions. He will abide by the conditions imposed by this Court in the event of his release on bail. Making such submission learned counsel for the petitioner prays to allow the petition.

6. Per Contra, learned High Court Government Pleader for respondent – State of Karnataka vehemently submitted that the petitioner is arrayed as accused No.5. He has informed other accused persons that huge quantity of gold and cash were present in the said bank and also he has actively participated in committing the dacoity of the said bank. After the incident, the amount has been recovered from the other accused. Therefore, it is not appropriate to grant him bail as prayed for. Making such submission learned High Court Government Pleader for respondent – State of Karnataka prays to reject the petition.



7. Heard learned counsel for the respective parties and perused the averments of the charge-sheet. It appears from the record that the petitioner is one of the associate of the team which has committed dacoity of the bank and looted the amount of Rs.4.00 Crores and gold ornaments. The averments of the charge-sheet would indicate that he had informed the other accused persons about the gold ornaments and cash present in the said bank. Further, the averments of the charge-sheet would indicate that the petitioner and other accused persons had committed dacoity of 18 kg 360 grams of gold and Rs.3,80,400/- cash from the bank. Nothing has been recovered from the present petitioner. Therefore, it is appropriate to grant him bail by imposing suitable conditions that would take care of the apprehension of the prosecution.

8. Hence, I proceed to pass the following:

ORDER

- i. This Criminal Petition is ***allowed.***



- ii. The petitioner is ordered to be enlarged on bail in Crime No.7/2025 25 filed by the respondent-Police for offences punishable under Section 126(2), 127(7), 309(2), 309(4), 310(2), 351(2), 324(1) r/w 3(5) of the Bharatiya Nyaya Sanhita, 2023 and under Section 3(1) of Indian Arms Act, 1959 and under Section 4 of Arms Act, 1959 and under Section 25(1B)(b), 27 of Indian Arms Act, 1959, on executing a personal bond for a sum of Rs.1,00,000/- (Rupees One Lakh only) with one (01) surety to the like sum of the satisfaction of the Trial Court.
- iii. The petitioner shall not threaten or tamper the prosecution witnesses nor hamper with the proceedings of the Court.



- iv. The petitioner shall appear before the Trial Court on all hearing dates, without fail.
- v. The petitioner shall not indulge in any criminal cases till disposal of the case.

In case, the petitioner violates any of the bail conditions mentioned above, liberty is reserved to the prosecution to file necessary application for cancellation of bail.

**Sd/-
(S RACHAIAH)
JUDGE**

NM