



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 23RD DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE S RACHAIAH

CRIMINAL PETITION NO. 3104 OF 2026

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

BETWEEN:

PRAVEEN KUMAR

S/O MAHESHAPPA

AGED ABOUT 22 YEARS,

R/AT 886, 1ST MAIN ROAD, 31ST CROSS,

VIVEKANAGAR POST, L. R.NAGRA,

BANGALORE-560 047.

...PETITIONER

(BY SRI. KEMPARAJU., ADVOCATE)

AND:

STATE OF KARNATAKA

BY BANSHANKARI POLICE STATION

REP BY ITS PUBLIC PROSECUTOR,

HIGH COURT COMPLEX,

BENGALURU - 560 001.

...RESPONDENT

(BY SRI. RANGASWAMY R., HCGP)



THIS CRL.P FILED U/S 439 CR.PC (FILED U/S 483 BNNS) PRAYING TO RELEASE/ENLARGE THE PETITIONER ON REGULAR BAIL IN (CRIME NO.102/2025) SC.NO.1196/2025 OF THE RESPONDENT BANASHANKARI POLICE FOR THE ALLEGED OFFENCE P/U/S 238, 61, 310(2) AND 311 OF BNS AND 25-1(B)(b) R/w S.4 OF ARMS ACT, 1959 PENDING ON THE FILE OF THE HONBLE LXIX ADDL.CITY CIVIL AND SESSIONS JUDGE, BENGALURU (CCH-70) BENGALURU.

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. The petitioner/accused No.2 is before this Court seeking regular bail in S.C.No.1196/2025, arising out of Crime No.102/2025, pending on the file of the Court of LXIX Addl. City Civil and Sessions Judge, Bengaluru, for the offence punishable under Sections 238, 61, 310(2) and 311 of Bharatiya Nyaya Sanhita, 2023 (for short, 'BNS') and 25-1(b)(b), 4 of Arms Act, 1959.

Brief facts of the case:



2. The case of the prosecution is that the complainant is working as a real estate broker. On account of the Ugadi festival, he, along with his friends were playing cards at the BVK Club, Banashankari. Around 02.00 p.m., when they were playing cards at Room No. 201, six unknown persons, aged between 20 to 35 years, wearing masks and monkey caps, entered the room along with matchets and long choppers. One of the accused assaulted one of the victims with the back side of the machete on the hands and caused bleeding injuries. The rest of the accused were pushing the complainant and others, and threatened them and robbed an amount of Rs. 10 lakhs and 700 grams of gold along with their mobile phones. Thereafter, they threatened them to remove their clothes. After taking all the belongings, including the clothes of the accused and confined them in the room and went away from the spot. Thereafter, around 06.00 p.m., the complainant lodged the complaint before the respondent - police.

3. Based on the said complaint, the respondent police registered a case in Cr. No.102/2025 against the petitioner and



conducted an investigation. After the completion of the investigation, the charge sheet was submitted.

4. Heard Sri. Kemparaju, learned counsel for the petitioner and Sri. Rangaswamy R, learned HCGP for respondent-State.

5. It is the submission of learned counsel for the petitioner that the petitioner is innocent of the alleged offences and he has been falsely implicated in this case. It is alleged in the complaint that some unknown persons entered into the Room No. 201 at BVK Club and committed offences as stated supra. However, no identification parade was conducted to demonstrate that the petitioner was present along with others at the time of the alleged incident. The petitioner is a permanent resident of Vivekanagara, Bangalore, and he is aged about 22 years old, and there are no criminal antecedents against the petitioner. Therefore, he may be enlarged on bail by imposing suitable conditions. He will abide by the conditions to be imposed by this Court in the event of his release on bail. Making such submissions, learned counsel for the petitioner prays to allow the petition.



6. *Per contra*, learned High Court Government Pleader for the respondent-State vehemently submitted that the petitioner has committed a heinous offence. It is a pre-planned robbery that had taken place in the BVK Club, which is situated in the heart of the city. Merely because an identification parade was not conducted, that cannot be a ground to grant bail. Hence, the petition has to be rejected. Making such submissions, learned HCGP prays to reject the petition.

7. Heard learned counsel for the respective parties and perused the averments of the charge sheet, it would indicate that the petitioner and others are alleged to have committed robbery of Rs. 10,00,000/- and 700 grams of gold, mobile phones, etc. However, the overt act attributed against the present petitioner is that he had committed robbery along with other accused and an amount of Rs. 1,00,000/- was recovered at his instance.

8. Be that as it may, an identification parade ought to have been conducted in the present case; not conducting an identification parade would be fatal to the case of the



prosecution. Having considered the said aspect, it is appropriate to grant him bail by imposing suitable conditions that would take care of the apprehension of the prosecution. Hence, I proceed to pass the following:

ORDER

(i) The petition is ***allowed.***

(ii) The petitioner is ordered to be enlarged on bail in S.C.No.1196/2025, arising out of Crime No.102/2025, pending on the file of the LXIX Addl. City Civil and Sessions Judge, Bengaluru, for the aforesaid offences on executing personal bond in a sum of Rs. 1,00,000/- (Rupees One Lakh only) with one surety for the like sum to the satisfaction of the Trial Court.

(iii) The petitioner shall mark his attendance before the respondent police till disposal of the case.

(iv) The petitioner shall not indulge in any criminal cases till disposal of the case.



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

Sd/-
(S RACHAIAH)
JUDGE

JS/-
List No.: 1 Sl No.: 64