



IN THE HIGH COURT OF KARNATAKA AT BENGALURU
DATED THIS THE 9TH DAY OF JUNE, 2026
BEFORE
THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY
CRIMINAL PETITION NO. 4962 OF 2026

BETWEEN:

ESHWAR MANJU NAYAR ALIAS ESHWAR
S/O MANJU GOPAL NAYAR
AGED ABOUT 27 YEAS
R/AT NO.11, KURULINGAPPA GARDEN
3RD MAIN MARENAHALLI
BENGALURU - 560 040.

...PETITIONER

(BY SRI NAUSHAD PASHA, ADV.)

AND:

STATE OF KARNATAKA
BY AVALAHALLI P.S
BANGALORE 560 049
REPESENTED BY SPP
HIGH COURT OF KARNATAKA
HIGH COURT BUILDING
BANGALORE 560 001.

...RESPONDENT

(BY SRI RANGASWAMY R, HCGP)

THIS CRL.P IS FILED U/S 439 CR.PC (FILED U/S 483 BNSS)
PRAYING TO ENLARGE THE PETITIONER ON BAIL IN CRIME
NO.44/2026 FOR THE ALLEGED OFFENCES P/U/S 310(2), 118(2)
AND 352 OF BNS 2023 OF AVALAHALLI POLICE STATION PENDING
ON THE FILE OF THE HONBLE ADDL.CJM BENGALURU RURAL
DISTRICT.

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

CORAM: HON'BLE MR. JUSTICE S VISHWAJITH SHETTY





ORAL ORDER

1. Accused No.6 in Crime No.44/2026 registered by Avalahally Police Station, Bengaluru, for the offences punishable under Sections 310(2) and 352 of BNS, 2023, is before this Court under Section 483 of BNSS, 2023, seeking regular bail.

2. Heard the learned counsel for the petitioner and the learned HCGP for the respondent - State.

3. FIR in the present case was registered by Avalahally Police Station, Bengaluru, in Crime No.44/2026 initially for the offences punishable under Sections 118(2), 310(2) and 352 of BNS, 2023 based on the first information received from Sathish Kumar S/o Ramakrishna. During the course of investigation, petitioner herein was arrested on 07.02.2026 and remanded to judicial custody. After completing investigation, charge sheet is now filed against nine persons. His bail application filed before the jurisdictional Sessions Court was rejected. It is under these circumstances, he is before this Court.



4. In the first information which is submitted on 02.02.2026, first informant has stated that on 01.02.2026, he and his friends had gathered in his house to celebrate the birthday of his friend Venkatesh. At about 19:00 hours, about seven unknown persons, who were armed with weapons entered the house and after threatening the inmates, they forcibly took away their mobile phones and cash of Rs.1,18,000/- and thereafter, escaped from the house. It is also alleged that the accused persons while leaving the house had also taken 30 grams of gold jewelry and one Armani Watch. It is in this background, FIR was registered against seven unknown persons. During the course of investigation, nine persons were arrested and charge sheet is now filed against said nine persons.

5. In the charge sheet, the only allegation made is that pursuant to the complaint received from CW1, Investigation Officer had instructed his staff to arrest the accused and accordingly, accused were arrested and the said accused had confessed to the crime. It is also further stated that the vehicle used for committing the crime, gold jewelry and also mobile



phone has been seized. The particulars of seizure is not found in the charge sheet. The alleged offences are not punishable with death or life imprisonment. Petitioner is in custody in the present case from 07.02.2026 onwards. Investigation of the case is completed and charge sheet has been filed. Though FIR has been registered in the present case as against unknown persons, charge sheet material would go to show that no Test Identification Parade has been held in the present case till date. Under the circumstances, I am of the opinion that the prayer made by the petitioner for grant of regular bail needs to be answered affirmatively. Accordingly, the following:-

6. The petition is allowed. The petitioner is directed to be enlarged on bail in Crime No.44/2026 registered by Avalahally Police Station, Bengaluru, for the offences punishable under Sections 310(2) and 352 of BNS, 2023, subject to the following conditions:

- a) Petitioner shall execute a personal bond for a sum of Rs.1,00,000/- with two sureties for the likesum, to the satisfaction of the jurisdictional Court;



- b) The petitioner shall appear regularly on all the dates of hearing before the Trial Court unless the Trial Court exempts his appearance for valid reasons;
- c) The petitioner shall not directly or indirectly threaten or tamper with the prosecution witnesses;
- d) The petitioner shall not involve in similar offences in future;
- e) The petitioner shall not leave the jurisdiction of the Trial Court without permission of the said Court until the case registered against him is disposed off.

**Sd/-
(S VISHWAJITH SHETTY)
JUDGE**

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List No.: 1 Sl No.: 46