



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. 16843 OF 2025 (439(Cr.PC) /
483(BNSS))

BETWEEN:

1. LYSRAM HEMBA SINGH
S/O POCHA SINGH
AGED ABOUT 22 YEARS
R/A KHANGA, BOK PART-1
SCHOOL, LAIKAI, KHANGA BOK
THOUBAL DISTRICT
MANIPUR – 795 138.

...PETITIONER

(BY SRI DILRAJ JUDE ROHIT SEQUEIRA, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REPRESENTED BY
STATION HOUSE OFFICER
KADUGODY POLICE STATION
BENGALURU CITY, REP. BY PUBLIC PROSECUTOR
PRINCIPAL DISTRICT AND SESSIONS COURT
BANGALORE RURAL - 560 001.

...RESPONDENT

(BY SRI MOHD. AYUB ALI, ADDL. SPP)

THIS CRL.P IS FILED UNDER SECTION 439 Cr.PC (FILED UNDER SECTION 483 BNSS) PRAYING TO PASS AN ORDER OF GRANT OF REGULAR BAIL TO THE PETITIONER HEREIN IN CONNECTION WITH CR.No.42/2019 DATED 13.02.2019, FOR





THE OFFENCE PUNISHABLE UNDER SECTIONS 302,376 OF IPC
PERTAINING TO KADUGODY P.S.

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 the sole accused under
Section 439 of Cr.P.C /Section 483 BNSS praying to grant
bail in Crime No.42/2019 of Kadugodi Police Station
registered for offences punishable under Sections 302, 376
IPC pending in S.C.No.169/2019 on the file of VI
Additional District and Sessions Judge, Bengaluru Rural
District, Bengaluru.

2. Heard learned counsel for the petitioner and
learned Additional SPP for the respondent –State.

3. Learned counsel for the petitioner would
contend that there are no eyewitnesses to the incident and
the case of the prosecution is based on circumstantial
evidence. The petitioner is in judicial custody since
15.02.2019 and even after 07 years the trial is not



concluded. The police officers are not securing the prosecution witnesses. The trial court has issued salary attachment of the Police Inspector for not complying the order of the Court and not executing process issued to the witnesses. Out of 39 witnesses, only 04 witnesses are examined. The FSL report does not connect this petitioner to the alleged incident. With this, he prayed to allow the petition.

4. *Per contra*, learned Additional SPP for the respondent –State would contend that the mobile of the deceased has been recovered from this petitioner. The petitioner has been traced through the mobile of the deceased as he was using it. The case involves murder and rape of the deceased. The CCTV footage of the hotel indicates that this petitioner alone entered the room and came out of the room of the deceased. The offence alleged against the petitioner is a heinous offence punishable with death or imprisonment for life. With this, he prayed to reject the petition.



5. Having heard the learned counsels, the Court has perused the charge sheet and other materials placed on record.

6. As per charge sheet, the case of the prosecution is that the deceased was staying in Prestige Crest Hotel in Room No.701. The petitioner was working as cleaning boy in housekeeping department in the said hotel. He entered inside the room of the deceased under the guise of giving laundry clothes to the deceased and in order to have sex with the deceased, held the deceased and when she screamed, held her nose and mouth tightly and when she tried to escape, assaulted her with iron box on her head, closed the room, held her nose, mouth, neck tightly and made her to lie on the bed and deceased died. Thereafter, the petitioner had sexual intercourse on the deceased. There are no eyewitnesses to the incident and the case of prosecution is based on circumstantial evidence. The circumstances are that the mobile of deceased has been seized from the petitioner, which he



was using. The other circumstance is that CCTV footage has been collected which indicate that this petitioner alone entered the room of the deceased and came out. The petitioner is in judicial custody since 15.02.2019. In the charge sheet, there are 39 witnesses. Out of them, only 4 witnesses are examined. The order sheet of the trial Court indicates that Police officials are not securing the prosecution witnesses and salary attachment warrant of Police Inspector has been ordered by the trial Court on 12.02.2026. There are no criminal antecedents of the petitioner. The petitioner has undertaken to appear before the trial Court on all dates of hearing and abide by any conditions to be imposed by this Court.

7. Considering the above aspects, the petitioner has made out case for grant of bail. In the result, the following:

ORDER

The petition is ***allowed***. The petitioner -accused is granted bail in Crime No.42/2019 of Kadugodi Police



Station, pending in S.C.No.169/2019 on the file of VI
Additional District and Sessions Judge, Bengaluru Rural
District, Bengaluru, subject to following conditions:

- a) The petitioner -accused shall execute bail bond for a sum of Rs.1,00,000/- with two sureties for the like sum to the satisfaction of the trial Court.
- b) The petitioner -accused shall not tamper the remaining prosecution witnesses either directly or indirectly.
- c) The petitioner -accused shall attend the trial Court on all dates of hearing unless exempted and co-operate for speedy disposal of the case.

Sd/-
(SHIVASHANKAR AMARANNAVAR)
JUDGE