



IN THE HIGH COURT OF KARNATAKA, AT DHARWAD
DATED THIS THE 24TH DAY OF MARCH, 2026
BEFORE
THE HON'BLE MR. JUSTICE HANCHATE SANJEEVKUMAR
CRIMINAL PETITION NO.100409 OF 2026
(439 OF CR.PC/483 OF BNSS)

BETWEEN:

SACHIN @ SACHUN TEKBAHADDUR GORKHA,
S/O. TEKBAHADDUR GORKHA,
AGE: 26 YEARS, OCC: STUDENT,
R/O. SUBHASH NAGAR, TQ. MUNDGOD-581349.

...PETITIONER

(BY SRI AVINASH M. ANGADI, ADVOCATE)

AND:

THE STATE OF KARNATAKA,
THROUGH MUNDGOD POLICE STATION,
UTTARA KANNADA
REP. BY ITS STATE PUBLIC PROSECUTOR,
HIGH COURT OF KARNATAKA, DHARWAD-580011.

...RESPONDENT

(BY SRI ABHISHEK MALIPATIL, HCGP.)

THIS CRIMINAL PETITION IS FILED UNDER SECTION 483 OF BHARATIYA NAGARIK SURAKSHA SANHITA, 2023, PRAYING TO ALLOW THIS PETITION AND ENLARGE THE ACCUSED/ PETITIONER ON REGULAR BAIL IN CRIME NO.0235/2025 OF MUNDGOD POLICE STATION, UTTARA KANNADA FOR THE OFFENCE PUNISHABLE UNDER SECTION 8C, 20(B)(II)(B), OF NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES ACT, 1985 PENDING ON THE FILE OF PRINCIPAL DISTRICT AND SESSIONS



COURT, KARWAR, UTTARA KANNADA IN SPL.C.NO.16/2026, IN THE INTEREST OF JUSTICE.

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

CORAM: THE HON'BLE MR. JUSTICE HANCHATE SANJEEVKUMAR

ORAL ORDER

Heard the arguments of Sri Avinash M. Angadi, learned counsel for petitioner and Sri Abhishekh Malipatil, learned HCGP for the respondent State and perused the material available before the Court.

2. This petition is filed by the petitioner/accused under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, praying to enlarge the petitioner/accused on bail in Crime No.0235/2025 of Mundgod Police Station, Uttara Kannada for the offence punishable under section 8C, 20(b)(ii)(B), of Narcotic Drugs and Psychotropic Substances Act, 1985, pending on the file of Principal District and Sessions Court, Karwar, Uttara Kannada in Spl.C.No.16/2026.



3. It is the brief case of prosecution that the petitioner/accused was offended with narcotic drugs like charas of quantity of 781 grams worth eight lakh rupees and thus the offences are foisted against the petitioner/accused as stated above.

4. Learned counsel for petitioner/accused submitted that the quantity seized is a medial quantity and not commercial quantity. Learned counsel for petitioner submitted that the petitioner has no antecedents and he is in judicial custody for more than 3½ months and now charge sheet has been filed and the petitioner is not required for any custodial interrogation. Therefore, prays to enlarge the petitioner/accused on bail by imposing conditions.

5. The learned HCGP vehemently objected for grant of bail to the petitioner and prays to reject the bail petition.

6. In the present case the prosecution has not produced any material to show that the petitioner has any



criminal antecedents of like nature. Therefore, there is no material that the petitioner is a habitual offender. Further, the petitioner is in judicial custody for 3½ months and the charge sheet is also filed. The seized quantity is 781 grams of charas which is a medial quantity, for which the punishment would be 10 years. Now the charge sheet is filed and the material witnesses are the police witnesses, hence there is no question of tampering the witnesses. The petitioner/accused was in possession of only 781 grams of charas, which is medial quantity and he is in judicial custody for 3½ months. Therefore, without expressing any opinion on merits of the case, this Court is of the opinion that the petition is liable to be allowed. Hence, I proceed to pass the following:

ORDER

- i) The petition is allowed.
- ii) The petitioner/accused is ordered to be enlarged on bail in Crime No.0235/2025 of Mundgod Police Station,



Uttara Kannada for the offence punishable under section 8C, 20(b)(ii)(B), of Narcotic Drugs and Psychotropic Substances Act, 1985, pending on the file of Principal District and Sessions Court, Karwar, Uttara Kannada in Spl.C.No.16/2026, subject to the following conditions.

a) The petitioner shall execute a personal bond for a sum of Rs.1,00,000/- along with one surety for the like sum to the satisfaction of the trial Court.

b) The petitioner shall not leave the jurisdiction of the trial Court without prior permission of the Court.

c) The petitioner shall not tamper and threaten the prosecution witnesses in any manner.

d) The petitioner shall mark his attendance before the concerned police station



on every Saturday between 11.00 a.m. to
02.00 p.m.

e) The petitioner shall attend the Court
regularly during the trial without fail. If not
attend for consecutive two times it entails
cancellation of bail.

iii) Violation of any of the conditions imposed would
entitle the prosecution to move for cancellation of bail.

Sd/-
(HANCHATE SANJEEVKUMAR)
JUDGE

MRK
CT-AN
List No.: 2 SI No.: 27