



HC-KAR

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NC: 2026:KHC:26714  
CRL.P No. 1589 of 2026

**IN THE HIGH COURT OF KARNATAKA AT BENGALURU**

**DATED THIS THE 5<sup>TH</sup> DAY OF JUNE, 2026**

**BEFORE**

**THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY**

**CRIMINAL PETITION NO. 1589 OF 2026 (439(Cr.PC))**

**BETWEEN:**

1. MUNAWAR ALI  
S/O KHUKA BEPARI  
AGED ABOUT 25 YEARS  
PRESENTLY RESIDING AT:  
C/O MOHAMED SALAM LABOR SHED,  
BHIND MANTRI EPSANA APARTMENT,  
KARIYAMMANA AGAHARA,  
BELLANDURU, BENGALURU-560 103.

PERMANENT RESIDING AT:  
NO 314, PART NO 155,  
AMNPARA LALUL BAZAR,  
UDAGURU DISTRICT, DHUBRI,  
ASSAM-783 301.

... PETITIONER

(BY SRI. GIRISH R., ADVOCATE)

**AND:**

1. STATE OF KARNATAKA  
BY MARATHAHALLI PS  
NOW REPRESENTED BY  
STATE PUBLIC PROSECUTOR,  
HIGH COURT BUILDING,  
BENGALURU-560 001.

... RESPONDENT

(BY SRI. VINAY MAHADEVAIAH, HCGP)





THIS CRL.P. IS FILED U/S 483 OF B.N.S.S., PRAYING TO PASS AN ORDER GRANTING BAIL THEREBY DIRECTING THE RESPONDENT MARATHAHALLI POLICE TO RELEASE THE PETITIONER/ACCUSED IN S.C.NO.1211/2025 IN CR.NO.242/2025 PENDING ON THE FILE OF THE HON'BLE LVII ADDL CITY CIVIL AND SESSIONS JUDGE (CCH-58) BENGALURU FOR THE ALLEGED OFFENCE P/S/U 109, 351(3), 103 OF THE BNS 2023.

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

CORAM: HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

### **ORAL ORDER**

The accused in S.C.No.1211/2025 pending before the Court of LVII Additional City Civil and Sessions Judge, Bengaluru, arising out of Crime No.242/2025 registered by Marathahalli Police Station, Bengaluru for the offences punishable under Sections 109, 351(3) and 103 of the Bharatiya Nyaya Sanhita (BNS), 2023 (hereinafter referred to as 'BNS, 2023' for short) is before this Court in this criminal petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, seeking regular bail.

2. Heard the learned counsel appearing for the petitioner and the learned HCGP appearing on behalf of the respondent/State.



3. FIR in Crime No.242/2025 was registered by Marathahalli Police Station for the offences punishable under Sections 109 and 351(3) of BNS, 2023 against the petitioner herein based on the first information dated 17.05.2025 received from Sri. Rasidul Haque S/o Mokshed Ali. During the course of investigation, petitioner herein was arrested on 22.05.2025 and remanded to judicial custody. One of the injured victims died while undergoing treatment on 18.05.2025. After completing investigation, charge sheet has been filed against the petitioner for the aforesaid offences.

4. Petitioner's bail application filed before the jurisdictional Sessions Court in CrI.Misc.No.26009/2025 was rejected on 12.01.2026 and therefore, he is before this Court.

5. In the FIR which is submitted on 17.05.2025 by Rasidul Haque who was residing in a shed with his family members adjacent to the shed in which the alleged



incident had taken place on the intervening night of 15.05.2025 and 16.05.2025, it is stated that at about 4.00 a.m. on 16.05.2025, he heard his brother-in-law, Ijul Haque and other victims in the present case who were residing in the near by shed screaming. Immediately he went to the said shed and found Ijul Haque and two others had suffered burn injuries and their neighbours rescued them and shifted to Sakra Hospital and thereafter to Victoria Hospital. He has further stated that at about 7.30 a.m. on 16.05.2025, his brother-in-law, Ijul Haque who had gained consciousness had informed him that the petitioner who had ill-will against him had poured petrol when they were sleeping and lit fire and as a result, they had suffered burn injuries. It is in these circumstances FIR was registered against the petitioner in Crime No.242/2025.

6. The brother-in-law of first informant, viz., Ijul Haque who had suffered grievous burn injuries in the incident in question subsequently died in the hospital on



18.05.2025 while undergoing treatment and thereafter the Police have invoked the offence punishable under Section 103 of BNS 2023 in the present case. Subsequently, the petitioner was arrested and remanded to judicial custody on 22.05.2025. In the chargesheet which is now filed, it is alleged that the petitioner who had earlier fought with deceased Ijul Haque, had vengeance against him and it is in this background on 16.05.2025, when Ijul Haque, CW2 and CW3 were sleeping inside their shed, the petitioner had poured petrol on them and set fire.

7. As per the Prosecution, CW2 and CW3 are the injured eye witnesses. However, in their statement recorded by the Police, they have not stated that they had seen the petitioner pouring petrol on them and setting fire. On the other hand, they have stated that they do not know who had committed the crime. The deceased Ijul Haque who had died subsequently on 18.05.2025 had suffered 96% burn injuries on his body and it would be difficult to believe that he had informed the first informant



that petitioner was the cause for the incident in question. Except the statement of first informant, there is no material to show that the deceased Ijul haque had gained consciousness and he was in a position to speak at that point of time after the incident in question had taken place. The petitioner, who has no other criminal antecedents is a married man and is having family. He is in judicial custody from 22.05.2025. The trial in the case is yet to commence. The apprehension expressed by the learned HCGP can be taken care of by imposing appropriate conditions.

8. Under the circumstances, I am of the opinion that prayer made by the petitioner for grant of regular bail needs to be answered affirmatively subject to appropriate conditions. Accordingly, the following:

ORDER

The petition is ***allowed***.

The petitioner is directed to be enlarged on bail in S.C.No.1211/2025 pending before the Court of LVII



Additional City Civil and Sessions Judge, Bengaluru, arising out of Crime No.242/2025 registered by Marathahalli Police Station, for the offences punishable under Sections 109, 351(3) and 103 of the BNS, 2023, subject to the following conditions:

- a) The petitioner shall execute personal bond for a sum of Rs.1,00,000/- with two sureties for the likesum, out of which, one shall be local surety 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**

VGR