



**IN THE HIGH COURT OF KARNATAKA AT BENGALURU
DATED THIS THE 3RD DAY OF JUNE, 2026
BEFORE
THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY
CRIMINAL PETITION NO. 5360 OF 2026**

BETWEEN:

AZAM SHAREEF
D/O MANAAR SHAREEF
AGED ABOUT 30 YEARS
R/AT NO.304, IBRAHIM MASJID ROAD
SATYA NAGARA, UDAYAGIRI
MYSURU - 570 019.

...PETITIONER

(BY SRI FAZIL AHMED, ADV.)

AND:

STATE BY METAGALLI POLICE STATION
MYSURU, REPRESENTED BY
STATE PUBIC PROSECUTOR
BANGALORE - 560 001.

...RESPONDENT

(BY SMT. RASHMI JADHAV, ADDL. SPP)

THIS CRL.P IS FILED U/S 439 CR.PC (FILED U/S 483 BNSS)
PRAYING TO ENLARGE THE PETITIONER/ACCUSED NO.3 ON BAIL IN
CRIME NO.12/2026 PENDING BEFORE VII ADDL. DISTRICT AND
SESSIONS JUDGE, JLB ROAD, AT MYSURU FOR THE OFFENCES
PUNISHABLE UNDER SECTION 22(C), 20(B) (ii) B) NARCOTIC DRUGS
AND PSYCHOTROPIC SUBSTANCES ACT, 1985, IN METAGALLI
POLICE.

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.3 in Crime No.12/2026 registered by Metagalli Police Station, Mysuru City, for the offences punishable under Sections 22(C), 20(b)(ii)(B) of the NDPS Act, 1985, is before this Court in this petition filed under Section 483 of BNSS, 2023, seeking regular bail.
2. Heard the learned counsel for the parties.
3. FIR in Crime No.12/2026 was registered by Metagalli Police Station, Mysuru City, against Pramod and Vikas based on the first information dated 17.02.2026 received from Shabbir Hussain, police officer attached to Metagalli Police Station, Mysuru City. During the course of investigation of the case, petitioner was arrested on 20.02.2026 and remanded to judicial custody. His bail application filed before the jurisdictional Sessions Court in Crime No.12/2026 was rejected on 18.03.2026. It is under these circumstances, he is before this Court.



4. Perusal of the material on record would go to show that FIR in the present case was registered for the aforesaid offences on 17.02.2026 only against accused Nos.1 and 2, who were apprehended based on the credible information. Contraband article allegedly MDMA totally weighing 51 grams and Ganja weighing 2 kgs 230 grams was seized from the possession of accused Nos.1 and 2. It appears that during the course of investigation, accused Nos.1 and 2 appears to have confessed that petitioner was purchasing contraband articles from them. It is in this background, petitioner was arrested from Mysuru on 20.02.2026 and thereafter, remanded to judicial custody. Remand application of the petitioner would go to show that police had not sought his custody. On the other hand, they have made a statement that his custody is not required and accordingly, he was remanded to judicial custody. Undisputedly, there is no seizure of any contraband article from the possession of the petitioner in the present case. It is not in dispute that petitioner has no other criminal antecedents. Petitioner has been arrested in the present case only based on confession statement made by accused Nos.1 and 2. Under the circumstances, I am of the opinion that his prayer for grant of



regular bail needs to be answered affirmatively. Accordingly, the following:-

5. The petition is allowed. The petitioner is directed to be enlarged on bail in Crime No.12/2026 registered by Metagalli Police Station, Mysuru City, for the offences punishable under Sections 22(C), 20(b)(ii)(B) of the NDPS Act, 1985, 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**

DN
List No.: 1 SI No.: 78