



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

**DATED THIS THE 3<sup>RD</sup> DAY OF JUNE, 2026**

**BEFORE**

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

**CRIMINAL PETITION NO. 877 OF 2026 (439(Cr.PC) /**

**483(BNSS))**

**BETWEEN:**

MOHAMMED BILAL  
S/O MOHAMMED IDRIES,  
AGED ABOUT 29 YEARS,  
R/AT NO.400, 1<sup>ST</sup> MAIN,  
GOKUL 1<sup>ST</sup> STAGE,  
BEHIND OXFORD ENGLISH SCHOOL,  
YESHWANTHPURA,  
BENGALURU - 560 022  
(ACCUSED IN JUDICIAL CUSTODY)

...PETITIONER

(BY SRI. JAVEED.S, ADVOCATE FOR  
SRI. SHASHIKUMAR.M, ADVOCATE)

**AND:**

STATE OF KARNATAKA BY  
THE STATION HOUSE OFFICER,  
CEN POLICE STATION,  
DAVANAGERE,  
REP. BY SPP  
HIGH OF KARNATAKA,  
BENGALURU - 560 001

...RESPONDENT

(BY SRI. RANGASWAMY.R, HCGP)

THIS CRL.P IS FILED U/S 439 CR.PC (FILED U/S 483  
BNNS) PRAYING TO ENLARGING THE PETITIONER ON REGULAR





BAIL IN CR.NO.107/2025 WITH CEN POLICE, NOW PENDING AS SPL.C.NO.491/2025 BEFORE PRL.DISTRICT AND SESSIONS JUDGE, DAVANAGERE AT DAVANAGERE, NDPS ACT 1985 U/S 21(b), 22(b), 8(c), 29, AND FOREIGNERS ACT, 25 U/S 3, 21, 22.THE PRL. DISTRICT AND SESSIONS JUDGE, DAVANAGERE HAS DISMISSED BAIL PETITION ON 20.11.2025 IN SPL.C.NO.491/2025.

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 Special Case No.491/2025 pending before the Court of Principal District and Sessions Judge, Davanagere arising out of Crime No.107/2025 registered by Davanagere CEN Crime Police Station for the offences punishable under Sections 8(c), 21(b), 22(b) and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985 ( for short the 'Act') and Sections 3, 21 and 22 of Foreigners Act, 2025 is before this Court in this successive bail petition filed under Section 483 of BNSS, 2023 seeking regular bail.

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



3. FIR in Crime No.107/2025 was registered by Davanagere CEN Crime Police Station for the aforesaid offences against Mr.Patric and others and the petitioner herein who is arrayed as accused No.3 in the case was arrested on 25.07.2025 and remanded to judicial custody. His bail application filed before the jurisdiction Sessions Court was rejected and therefore, he had earlier approached this Court in Criminal Petition No.13163/2025 which was dismissed on 25.10.2025. In the meanwhile, charge sheet was filed and therefore, the petitioner had filed a fresh bail application before the trial Court in Spl. Case No.491/2025, which was rejected on 20.11.2025. It is under these circumstances, the petitioner is before this Court.

4. Perusal of the material on record would go to show that on the basis of credible information received on 24.07.2015 at about 9.00 p.m., the car bearing registration No.KA 21 MA - 0602 in which accused Nos.1 to 4 were travelling from Bengaluru to Davanagere for the purpose of delivering contraband article to accused No.5 was intercepted by the police and from the said car, contraband article allegedly methamphetamine weighing 13 grams was seized and



recovered under mahazar. Thereafter on 29.07.2025, from the house of the accused Nos.1 and 2 at Bengaluru, additional contraband article allegedly Methamphetamine weighing 5.61 grams was recovered and seized under a separate mahazar.

5. The second seizure of contraband article is from the house of accused Nos.1 and 2 and there is no material to connect the present petitioner to the said seizure.

6. Insofar as the first seizure is concerned, it is from the car in which accused Nos.1 to 4 were travelling. Even, if it is believed at this stage that the petitioner was in conscious possession of contraband article found in the car, the same is only of intermediate quantity. As per the relevant notification, up to 50 grams of methamphetamine is considered as an intermediate quantity. Undisputedly, the petitioner has no criminal antecedents. Investigation of the case is completed and charge sheet has been filed. Learned counsel for the petitioner has submitted that accused Nos.1 and 4 have been now granted regular bail by the trial Court. Section 37(1)(b) of the Act cannot be made applicable in the present case since the seized contraband article is not of commercial quantity.



7. Under these circumstances, I am of the considered view that without expressing any opinion on the merits and demerits of the case, the prayer made by the petitioner for grant of regular bail needs to be answered affirmatively subject to appropriate conditions. Accordingly, the following:

The petition is allowed. The petitioner is directed to be enlarged on bail in Crime No.107/2025 of Davanagere CEN Crime Police Station registered for the offences punishable under Sections 8(c), 21(b), 22(b) and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985 and Sections 3, 21 and 22 of Foreigners Act, 2025 subject to the following conditions:

- a) Petitioner shall execute 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;

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

BS  
List No.: 1 Sl No.: 46