



CNR: KAHC010448002026

NC: 2026:KHC:41253
CRL.P No. 9610 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 5TH DAY OF AUGUST, 2026

BEFORE

THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

CRIMINAL PETITION NO. 9610 OF 2026

BETWEEN:

MOHAMMED KHIZER @ GUDDU
S/O LATE AFSAR PASHA
AGED ABOUT 21 YEARS
R/AT 13TH CROSS
NEAR DOUBLE TOWER
USMANIYA BLOCK
GHOUSIYANAGAR
MYSURU - 570 019.

...PETITIONER

(BY SRI NAGARJUN J, ADV.)

AND:

STATE BY UDAYAGIRI POLICE
REPRESENTED BY PUBLIC PROSECUTOR
STATE OF KARNATAKA
HIGH COURT BUILDING
BENGALURU - 560 001.

...RESPONDENT

(BY SRI VINAY MAHADEVAIAH, HCGP)

THIS CRL.P IS FILED U/S 439 CR.PC (FILED U/S 483 BNNS)
PRAYING TO RELEASE THE PETITIONER ON BAIL FOR THE OFFENCE
P/U/S 103(1), 54, 249 R/W 3(5), 61(2) OF BNS ACT IN CR
NO.17/2026 OF UDAYAGIRI POLICE PENDING ON THE FILE OF THE II
ADDL.CIVIL JUDGE AND JMFC COURT AT MYSURU IN CC
NO.3071/2026.

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

Digitally signed
by NANDINI M
S
Location: HIGH
COURT OF
KARNATAKA





**NC: 2026:KHC:41253
CRL.P No. 9610 of 2026**

CNR: KAHC010448002026

CORAM: HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

ORAL ORDER

1. Accused no.5 in Crime No.17/2026 registered by Udayagiri Police Station, Mysuru, for the offences punishable under Sections 103(1), 54, 249, 61(2) read with 3(5) of BNS, 2023, 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.17/2026 was registered by Udayagiri Police Station, Mysuru, for the aforesaid offences against Juber alias Jubbu and others based on the first information dated 20.01.2026 received from Shamshir Alam - brother of deceased Muhammed Shahabaz. In the said case, petitioner was arrested on 23.01.2026 and remanded to judicial custody. After completing investigation, charge sheet is filed against 12 persons and petitioner is arrayed as accused no.5 in the said charge sheet. His bail application filed before the jurisdictional Sessions Court in Crl. Misc. No.712/2026 was rejected on 16.05.2026. Therefore, petitioner is before this Court.



CNR: KAHC010448002026

4. Perusal of the material on record would go to show that, there was ill-will between deceased Mohammed Shahabaz and the accused, and it is in this background, accused persons allegedly conspired to commit the murder of Mohammed Shahabaz. In furtherance of such conspiracy, accused nos.9 to 11 had assured to pay money to accused nos.1 to 5 and also to take care of their expenses for obtaining bail.

5. In the incident in question that had taken place on 20.01.2026, allegation of assaulting deceased Mohammed Shahabaz with deadly weapons is found against accused nos.1 to 3 in the charge sheet. Accused nos.4 and 5, who were along with the accused nos.1 to 3 had allegedly helped them to escape from the spot after they had assaulted the deceased. Accused nos.6 to 8 are the persons who had given the information about the whereabouts of deceased Mohammed Shahabaz to the assailants. Accused no.9 and 11 are the persons who had given Supari to accused nos.1 to 5. Accused nos.9 to 11 have been granted regular bail by the Co-ordinate Bench of this Court in Crl.P.No.3616/2026, Crl.P.No.3741/2026



NC: 2026:KHC:41253
CRL.P No. 9610 of 2026

CNR: KAHC010448002026

and Crl.P.No.3828/2026, which were disposed of on 10.04.2026. Accused no.6 has been granted regular bail by this Court in Crl.P.No.7911/2026 disposed of on 21.07.2026.

6. It is not in dispute that petitioner has no other criminal antecedents. He is in custody for the last more than seven months. The allegation as against the petitioner is that he had helped the assailants to escape from the spot of crime after they had committed the murder of deceased Muhammed Shahabaz. Under the circumstances, I am of the opinion that petitioner's prayer for grant of regular bail is required to be answered affirmatively. Accordingly, the following order:

7. The petition is allowed. The petitioner is directed to be enlarged on bail in Crime No.17/2026 registered by Udayagiri Police Station, Mysuru, for the offences punishable under Sections 103(1), 54, 249, 61(2) read with 3(5) of BNS, 2023, 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;



CNR: KAHC010448002026

**NC: 2026:KHC:41253
CRL.P No. 9610 of 2026**

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**

KK