

(2026) 08 KAR CK 2107
In the Karnataka High Court, Bengaluru Bench
Case No : CRIMINAL PETITION NO. 7908 OF 2026

State Of Karnataka

APPELLANT

Vs

T.P. Abdul Rahim

RESPONDENT

Date of Decision : 05-08-2026

Acts Referred:

Bharatiya Nagarik Suraksha Sanhita, 2023 — Section 483(3)
Narcotic Drugs and Psychotropic Substances Act, 1985 — Sections 8(c), 20(b)(ii)(B)

Citation : (2026) 08 KAR CK 2107

Hon'ble Judges : S Vishwajith Shetty, J

Bench : Single Bench

Advocate : Smt. Rashmi Jadhav

Final Decision : Dismissed

Judgement

Respondent - State is before this Court in this Criminal Petition filed under Section 483(3) of Bharatiya Nagarik Suraksha Sanhita, 2023, with a prayer to set aside the order dated 02.02.2026 passed in Crime No.141/2025 by the Court of Principal District and Sessions Judge, Dakshina Kannada, Mangaluru, wherein the respondent herein has been granted regular bail.

2. Heard Additional Special Public Prosecutor on behalf of the respondent-State.

3. FIR in Crime No.141/2025 was registered by Mangalore North Police Station, Dakshina Kannada District for offences punishable under Sections 8(c), 20(b)(ii)(B) of Narcotic Drugs and Psychotropic Substances Act, 1985 and in the said case, the respondent herein was arrested and produced before the jurisdictional Court on 12.12.2025.

4. His bail application filed before the Trial Court in Crime No.141/2025 was allowed on 02.02.2026. Therefore, the State is before this Court.

5. Perusal of the material on record would go to show that seized contraband article allegedly ganja totally weighed 1.262 Kg. in the present case. Respondent

who was arrested in the present case was in custody for about 50 days.

6. Considering the fact that the seized contraband article is little more than small quantity and the respondent is suffering from liver and heart related ailments, the Trial Court by a reasoned order has granted regular bail to the respondent subject to certain conditions. The Trial Court has also taken into consideration the antecedents of the respondent-accused while granting bail to him in the present case.

7. The Hon'ble Supreme Court in the case of ***Prabhakar Tewari vs. State of Uttar Pradesh and Another***¹, has held that the criminal antecedents against the accused cannot be a sole ground to deny bail in the event if it is otherwise found that accused is entitled to the relief sought for.

8. It is not the case of the petitioner - State that the respondent has violated any of the bail conditions imposed by the Trial Court in the order impugned, till date.

9. Under the circumstances I am of the opinion that the it is not a fit case to be entertained by this Court. Accordingly, Criminal Petition is ***dismissed***

FOOTNOTES

1. 1 (2020) 11 SCC 648