HC-KAR

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 26TH DAY OF DECEMBER, 2025

BEFORE

THE HON'BLE MR. JUSTICE G BASAVARAJA

CRIMINAL PETITION NO. 16884 OF 2025 (439(Cr.PC) / 483(BNSS))

BETWEEN:

SHRI MOHAMMED KAMRAN
S/O. SHRI AKRAM PASHA,
AGED ABOUT 24 YEARS,
R/AT HOUSE NO-L1G61, 3RD STAGE,
BANNIMANTAPPA, MYSURU-570 015.
(NOW IN JUDICIAL CUSTODY,
CENTRAL PRISON, BANGALORE)

...PETITIONER

(BY SRI. HASHMATH PASHA, SR. COUNSEL FOR
SRI. KARIAPPA N.A.,ADVOCATE)

AND:

THE SENIOR INTELLIGENCE OFFICER
DIRECTORATE GENERAL OF
GOODS AND SERVICE TAX INTELLIGENCE,
BANGALORE ZONAL UNIT,
NO.112, S. P. ENCLAVE,
ADJACENT TO KARNATAKA BANK,
K. H. ROAD, BANGALORE CITY-560027.

(REPRESENTED BY LEARNED
SPECIAL PUBLIC PROSECUTOR,
HIGH COURT OF KARNATAKA,
BANGALORE-560 001)

...RESPONDENT

(BY SRI. MADHU N. RAO,ADVOCATE)

THIS CRL.P IS FILED U/S 439 CR.PC (FILED U/S 483 BNNS) BY THE ADVOCATE FOR THE PETITIONER PRAYING TO ENLARGE HIM ON BAIL IN PCR NO.280/2025 WHICH IS PENDING ON THE FILE OF THE SPECIAL COURT FOR ECONOMIC OFFENCES, BENGALURU WHICH IS ARISING OUT OF CRIME NO.34/2025 IN FILE NO.DGGI/INV/125/2025-GRc-01/0/0 pr ADG-DGGI-ZU-BENGALURU, ON THE FILE OF THE RESPONDENT ON SUCH TERMS AND CONDITIONS.

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

CORAM: HON'BLE MR. JUSTICE G BASAVARAJA

ORAL ORDER

1. Petition is filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail as the accused in judicial custody from the date of arrest i.e. 16.09.2025. On the basis of the complaint filed by the Senior Intelligence Officer, O/o the Directorate General of Goods and Services Tax Intelligence, case was registered in PCR No.280/2025 in Crime No.34/2025. The alleged commission of offences under Section 16(2)(b) of CGST Act, 2017 read with sections 132(1)(b), 132(1)(c), 132(1)(f) of the CGST Act, 2017 read with section 135 of the CGST Act, 2017 are punishable with imprisonment for a term which may extend to five years and with fine under

section 132(1)(i) of the CGST Act, 2017 in respect of the accused.

2. The Learned LXVII Additional City Civil and Sessions Judge, Bengaluru, (CCH-68) has rejected the bail application filed in Crl.Misc.No.10334/2025 only on the ground that, if the petitioner is released on bail, there is all possibility of threatening the prosecution witnesses and destroying the prosecution evidence apart from preparing for similar offence and fleeing away from justice, which will hamper the trial.

3. The alleged commission of offence is not punishable with death or imprisonment for life and is exclusively triable in the court of Magistrate. The present petitioner is not required for any further investigation. The Complainant is a public servant. Hence, the question of threatening or tampering witness does not arise.

4. Considering the nature, gravity and previous antecedents of the petitioner and also taking into

consideration the judgment of Hon'ble Supreme Court in the case of ***VINEET JAIN v. UNION OF INDIA*** in ***CRL.A.NO.2269/2025*** disposed of on 28.04.2025, it is just and proper to allow this petition subject to conditions. Accordingly, I proceed to pass the following:

O R D E R

(i) Criminal Petition is ***allowed***;

(ii) Petitioner shall be released on bail on executing a self bond of Rs.1,00,000/- with one surety for likesum to the satisfaction of the Special Court for Economic Offences at Bengaluru in PCR No.280/2025 in Crime No. 34/2025;

(iii) Petitioner shall appear before the trial Court whenever directed;

(iv) Petitioner shall not tamper or threaten the prosecution witnesses in any manner;

(v) Petitioner shall not indulge in similar offence;

(vi) If the petitioner violates any of the bail conditions, the Complainant is at liberty to move an application for cancellation of bail.

(vii) The Registry is directed to send intimation through e-mail to the concerned Court for compliance, as the accused is in judicial custody.

Sd/-
(G BASAVARAJA)
JUDGE

DHA
List No.: 1 Sl No.: 140