



CNR: KAHC010414052026

NC: 2026:KHC:39308
CRL.P No. 8790 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 28TH DAY OF JULY, 2026

BEFORE

THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

CRIMINAL PETITION NO. 8790 OF 2026

BETWEEN:

SIDUL MANDAL
S/O ABDUL EBHABUR
AGED ABOUT 46 YEARS
R/AT. C/O. VENKATARAMANA
BUILDING, YELLAMMANAGARA
BOMMASANDRA, ANEKAL TALUK
PERMANENT ADDRESS
BADAL GRAM, DAM SON UNION
SHAWAR POST OFFICE, DHAKA
BANGLADESH.

...PETITIONER

(BY SRI ABHISHEK R HUDDAR, ADV.)

AND:

1. STATE OF KARNATAKA
BY SURYANAGAR POLICE STATION
REP. BY SPP OFFICE, HIGH COURT OF
KARNATAKA, BENGALURU - 560 001.
2. UNION OF INDIA
MINISTRY OF HOME AFFAIRS
(SECRETARY) KARTHVYA BHAVAN-1
REP. BY SECRETARY
NEW DELHI - 110 001.

...RESPONDENTS

(BY SRI VINAY MAHADEVAIAH, HCGP FOR R-1;
SRI MADHU R, ADV., FOR R-2)

THIS CRL.P IS FILED U/S 439 CR.PC (FILED U/S 483 BNNS)
PRAYING TO ENLARGE THE PETITIONER ON BAIL IN CONNECTION
WITH SC NO.5040/2024 (ARISING OUT OF CRIME NO.0500/2024)





CNR: KAHC010414052026

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REGISTERED BY THE SURYANAGAR POLICE STATION PENDING TRIAL
BEFORE THE HONBLE III ADDL.DISTRICT AND SESSIONS JUDGE,
ANEKAL.

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.2 in S.C.No.5040/2025 pending before the Court of III Addl. District & Sessions Judge, Bengaluru Rural District (sitting at Anekal), arising out of Crime No.500/2024 registered by Suryanagar Police Station, Bengaluru District, for the offences punishable under Sections 336(2), 336(3), 340(2) of BNS, 2023, and Sections 14, 14(A) of Foreigners Act and Section 12(1)(A)(a)(b) of Indian Passport Act, is before this Court in this petition under Section 483 of BNSS, 2023, seeking regular bail.

2. Heard the learned Counsel for the parties.

3. FIR in Crime No.500/2024 was registered by Suryanagar Police Station, Bengaluru District, initially for the offences punishable under Sections 336(2), 336(3), 340(2) of BNS,

**CNR: KAHC010414052026**

2023 and Sections 34, 36, 35 of Aadhaar (Targeted Delivery of Financial and other Subsidies, Benefits and Services) Act, 2016, against Arnab Mandal based on the first information dated 30.11.2024 received from B.K.Mohan Kumar - Police Officer attached to Suryanagar Police Station, Bengaluru District. During the course of investigation of the case, petitioner herein was arrested on 22.11.2024, and subsequently remanded to judicial custody. Investigation of the case is completed and charge sheet has been filed against two persons for the aforesaid offences. Bail application filed by the petitioner before the jurisdictional Sessions Court in S.C.No.5040/2025 was rejected on 15.05.2026. Therefore, he is before this Court.

4. Learned Counsel for the petitioner submits that the maximum punishment for the alleged offences is imprisonment for a period of seven years. Petitioner has no criminal antecedents. He is in custody for the last more than 1 1/2 years. Since investigation is already completed and charge sheet is filed, his custodial interrogation may not be necessary. Accordingly, he prays to allow the petition.

**CNR: KAHC010414052026**

5. Per contra, learned HCGP has seriously opposed the petition. He submits that petitioner has committed anti-national activities, and therefore, it is not safe to enlarge him on bail. Merely for the reason that charge sheet is filed, accused cannot be enlarged on bail. Petitioner hails from Dhaka in Bangladesh and in the event he is enlarged on bail, it would be difficult to secure his presence. Accordingly, he prays to dismiss the petition.

6. First information was submitted by B.K.Mohan Kumar - Police Officer attached to Suryanagar Police Station, Bengaluru District, alleging that based on the credible information received he had conducted a raid to a Cyber Centre known as Wow Technology, U.K., and had apprehended accused no.1 - Arnab Mandal who was found in the Cyber Centre and had recovered large number of rental agreements and other documents which were used by him for the purpose of creating fraudulent PAN cards and Aadhaar Cards in favour of illegal immigrants from Bangladesh, introduced by the petitioner herein. Petitioner was subsequently apprehended by the police and produced before the Court and was remanded to judicial

**CNR: KAHC010414052026**

custody. After completing the investigation, charge sheet has been filed against accused no.1 - Arnab Mandal and the petitioner herein who are Bangladesh citizens.

7. The allegation against the petitioner in the charge sheet is that petitioner was introducing the citizens of Bangladesh to accused no.1 and accused no.1 was concocting documents using fake letter head, seals, etc., and on the basis of the said documents, PAN cards and Aadhaar cards were provided to the citizens of Bangladesh who were introduced by the petitioner. During the course of investigation, huge number of rental agreements, fake seals, Aadhaar card applications in the name of different persons were recovered from the office of accused no.1. In addition to the same, huge number of applications for the purpose of applying for PAN card and Aadhaar card which stood in different names were also recovered.

8. From the overall reading of the entire charge sheet material, it is found that petitioner herein was introducing Bangladesh citizens to accused no.1 for the purpose of providing them PAN cards and Aadhaar cards and accused no.1



CNR: KAHC010414052026

was concocting documents for the purpose of obtaining PAN cards and Aadhaar cards in the name of illegal immigrants from Bangladesh.

9. Section 152 of BNS, 2023, which is introduced in place of Section 124A of IPC, reads as under:

"152. Acts endangering sovereignty unity and integrity of India

Whoever, purposely or knowingly, by words, either spoken or written, or by signs, or by visible representation, or by electronic communication or by use of financial mean, or otherwise, excites or attempts to excite, secession or armed rebellion or subversive activities, or encourages feelings of separatist activities or endangers sovereignty or unity and integrity of India; or indulges in or commits any such act shall be punished with imprisonment for life or with imprisonment which may extend to seven years, and shall also be liable to fine.

Explanation.- Comments expressing disapprobation of the measures, or administrative or other action of the Government with a view to obtain their alteration by lawful means without exciting or attempting to excite the activities referred to in this

**CNR: KAHC010414052026**

section do not constitute an offence under this section."

10. The act committed by the petitioner as found in the charge sheet has the effect of endangering the sovereignty, unity and integrity of India and the said act is punishable with imprisonment for life under Section 152 of BNS, 2023. However, the Investigation Officer has prima facie erred in not invoking Section 152 of BNS, 2023, in the present case against the petitioner though the charge sheet material prima facie makes out a case for the said offence. In the present case, though charge sheet has been filed, charges are yet to be framed by the Trial Court.

11. Under the circumstances, merely for the reason that investigation of the case is completed and charge sheet has been filed, the petitioner cannot be enlarged on bail, more so considering the gravity of the offences alleged against him and there being direct detrimental effect on the security of the nation.

**CNR: KAHC010414052026**

12. The charge sheet would go to show that huge number of documents were recovered from the office of the accused no.1, which prima facie go to show that he was making preparations to apply for PAN cards and Aadhaar cards in the name of many more citizens of Bangladesh which makes it apparent that large number of illegal immigrants were introduced by the petitioner herein who have already entered the territory of India.

13. Petitioner herein who is a Bangladesh national has been charge sheeted for the offences punishable under the provisions of the Foreigners Act and the charge sheet material would go to show that petitioner has assisted and abetted accused no.1 to commit the alleged offences, and therefore, the alleged act of the accused would attract Sections 13 & 14(C) of the Foreigners Act. Bail application filed by accused no.1 in Crl.P.No.5554/2025 has been dismissed by this Court vide order dated 20.06.2025.

14. The material on record prima facie would go to show that petitioner herein was indulged in the act of introducing illegal immigrants from Bangladesh to accused no.1 for providing fake

**CNR: KAHC010414052026**

PAN cards and Aadhaar cards to the said illegal immigrants. The whereabouts of the said illegal immigrants who entered India is not yet known. From the activities of the petitioner, it is apparent that he has indulged in activities endangering the sovereignty of the nation and in the event he is enlarged on bail, it cannot be ruled out that he may indulge in committing similar offences in future.

15. Petitioner hails from Bangladesh and as rightly contended by the learned HCGP, it would be difficult to secure his presence for the purpose of trial. The seized documents would clearly go to show that petitioner herein had abetted accused no.1 for making arrangements to apply for PAN cards and Aadhaar cards on the basis of the fake documents in favour of illegal immigrants of Bangladesh and the same clearly points out the gravity of the crime committed by the petitioner herein. Merely for the reason that charge sheet is filed in a case or for the reason that the alleged offences are punishable with imprisonment for a period of seven years, accused cannot be released on bail. The material collected by the prosecution would prima facie go to show that it is not safe to enlarge the



NC: 2026:KHC:39308
CRL.P No. 8790 of 2026

CNR: KAHC010414052026

accused on bail. Under the circumstances, I am of the opinion that at this stage petitioner's prayer for grant of regular bail, cannot be entertained. Accordingly, the petition is dismissed.

Sd/-
(S VISHWAJITH SHETTY)
JUDGE

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