



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

**DATED THIS THE 11<sup>TH</sup> DAY OF MARCH, 2026**

**BEFORE**

**THE HON'BLE MR. JUSTICE S RACHAIAH**

**CRIMINAL PETITION NO. 2317 OF 2026 (439(Cr.PC)/**  
**483(BNSS))**

**BETWEEN:**

SMT SARBANU KHATUN  
W/O S.K ALANGIR,  
AGED ABOUT 25 YEARS,  
RESIDING AT AND C/O:  
YELLAREDDY PROPERTY SHED  
HULIMANGALA PODU VILLAGE,  
JIGANI HOBLI, ANEKAL TALUK,  
BENGALURU DISTRICT.

PERMANENT RESIDENT OF  
NANDIGRAM, KALICHARANPUR,  
P.O GARCHARABERIA,  
NANDIGRAM P.S.,  
PURBA MEDINIPUR DISTRICT,  
JALPAI PART VII,  
WEST BENGAL – 721 631.

... PETITIONER

(BY SRI. MOHAMMAD RASHEEF M., ADVOCATE)





**AND:**

STATE OF KARNATAKA BY

HEBBAGODI POLICE STATION

REP BY STATE PUBLIC PROSECUTOR

HIGH COURT BUILDING

BANGALORE – 560 001.

... RESPONDENT

(BY SMT. ANITHA GIRISH N., HCGP)

THIS CRIMINAL PETITION IS FILED U/S 439 CR.PC  
(FILED U/S 483 BNNS) PLEASSED TO ENLARGE THE PETITIONER  
ON REGULAR BAIL IN CRIME NO.23/2026 OF HEBBAGODI  
POLICE STATION FOR THE OFFENCES P/U/S 152, 196, 197(1)  
AND 353(1) OF THE BNS 2023 FILED BY IV ADDL.CIVIL JUDGE  
AND JMFC ANEKAL.

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

CORAM: HON'BLE MR. JUSTICE S RACHAIAH



**ORAL ORDER**

This petition is filed by the petitioner who is arraigned as sole accused in Crime No.23/2026 filed by the respondent-Police for the offence punishable under Sections 152, 196, 197(1), 353(1) of Bharatiya Nyaya Sanhita (BNS), 2023.

2. The case of the prosecution is that on 11.01.2026 at about 08.30 a.m., the complainant had been to the Police Station to collect the confidential information. It was around 01.00 p.m., the complainant was browsing social media through the mobile phone, at that time he saw a video, where it was found that huts were being cleared and a person was capturing the video of the said operation and they were shouting "Jai Bharat Mata Ki Jai". Later, a woman was seen walking in the said area. When she was asked to say "Jai Bharat Mata Ki Jai", the woman shouted a slogan as "Jai Bangla". Then she went little ahead and shouted slogan "Jai Bharat Mata Ki



Jai". A case has been registered against an unknown woman deliberately called "Jai Bangla" with an intention to hurt the sentiments of Indians and also feelings of them and also it undermines the national unity and sovereignty. Based on the said information, the respondent-Police have registered a case and the investigation is under progress. The petitioner has been arrested on 12.01.2026 and she is in judicial custody.

3. Heard Sri.Mohammad Rasheef M., learned counsel for the petitioner and Smt.Anitha Girish N., learned High Court Government Pleader for respondent-State.

4. It is the submission of learned counsel for the petitioner is that the petitioner is the permanent resident of West Bengal, however, she is working in Prestige Cass Villa, situated at Hebbagodi as a housemaid. She had no intention to hurt either feeling or sentiment of the Indians. When she was provoked to say "Jai Bharat Mata Ki Jai", in



order to avoid further conflict, she might have uttered such slogan. The petitioner is a woman and aged about 25 years. She is having two children and she has to take care of them. Therefore, she may be enlarged on bail by imposing suitable conditions. Makings of submissions learned counsel for the petitioner prays to allow the petition.

5. *Per Contra*, the learned High Court Government Pleader for the respondent - State vehemently submitted that the slogan which she had made would certainly hurt the feelings and sentiments of Indians. She, being an Indian, shouted a slogan as "Jai Bangla", which is really hurting the sentiments of Indians. Based on the footage circulated in the social media, a case has been registered against the petitioner and she has been arrested. Since she is a permanent resident of West Bengal, there may be chances of absconding from the case if she is released on bail. Hence the bail application has to be rejected. Making



such submission learned High Court Government Pleader prays to dismiss the petition.

6. Heard the learned counsel for the respective parties. Perused the averments of the complaint, which indicates that the authority was clearing the sheds which were constructed unauthorizedly in the government land. The said process was being captured by one of the persons. At that time, a person had instigated the petitioner herein to shout a slogan as "Jai Bharat Mata Ki Jai". However, she called "Jai Bangla" and thereafter, again, she shouted the slogan as "Jai Bharat Mata Ki Jai" thrice. Having considered the facts and circumstances of the case and also the fact that she is having two minor children and she has to take care of them, it is appropriate to grant her bail by imposing suitable conditions that would take care of the apprehension of the prosecution.

7. Hence, I proceed to pass the following:



**ORDER**

- i. This Criminal Petition is ***allowed***.
- ii. The petitioner is order to be enlarged on bail on in Crime No.23/2026 of respondent-Police for the offence punishable under Sections 152, 196, 197(1), 353(1) of Bharatiya Nyaya Sanhita, 2023 on executing a personal bond for a sum of Rs.1,00,000/- (Rupees One Lakh Only) with one local surety to the like sum of the satisfaction of the Trial Court.
- iii. The petitioner shall not commit any similar offence till disposal of the present case.
- iv. The petitioner shall appear before the trial Court on all hearing dates.
- v. The petitioner shall not tamper the prosecution witnesses.



In case, if the petitioner violates any of the bail conditions as stated above, liberty is reserved to the prosecution to file necessary application for cancellation of bail.

**Sd/-  
(S RACHAIAH)  
JUDGE**

NR/-  
List No.: 1 SI No.: 38