

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

FRIDAY, THE 23RD DAY OF JANUARY 2015/3RD MAGHA, 1936

Bail Appl..No. 389 of 2015 ()

CRIME NO. 4/2015 OF KUMBALA EXCISE RANGE OFFICE, KASARGOD

PETITIONER/ACCUSED :

**RAGHU @ RAGHAVA, AGED 32 YEARS,
S/O. NARAYANA VELICHAPADU,
BAIKKATTA DESOM, PAIVALIKE VILLAGE,
MANJESHWAR TALUK, KASARAGOD DISTRICT**

**BY ADVS.SRI.M.SASINDRAN
SRI.A.ARUNKUMAR**

RESPONDENTS/COMPLAINANT/STATE:

- 1. STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM 682031**
- 2. THER STATION HOUSE OFFICER,
(CRIME NO.4 OF 2015 OF KUMBALA EXCISE
RANGE) KASARGOD DISTRICT 671 125**

BY PUBLIC PROSECUTOR SMT. LALIZA T.Y.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 23-01-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

B.KEMAL PASHA, J.

B.A.No.389 of 2015

Dated this the 23rd day of January 2015

ORDER

Petition filed under Section 439 Cr.P.C.

2. Petitioner is the accused in Crime No.4/2015 of Kumbbla Excise Range registered for the offence punishable under Section 58 of the Abkari Act.

3. The allegation against the petitioner is that on 6.1.2015 at 4.15 p.m., he was found transporting 80 paper boxes, each containing 180 m.l. of Indian Made Foreign Liquor, in contravention of the provisions of the Abkari Act. The petitioner has been in custody from 6.1.2015 onwards.

4. Heard learned counsel for the petitioner and learned Public Prosecutor. No criminal antecedents have been reported

against the petitioner. Continued detention of the petitioner is not required for the continued investigation of this case. Having regard to the period undergone by the petitioner in custody, the present stage of investigation, and the absence of criminal antecedents on his part, I am of the view that the petitioner can be enlarged on bail.

5. In the result, this Bail Application is allowed and the petitioner shall be enlarged on bail on his executing a bond for Rs.1,00,000/- (Rupees one lakh only) with two solvent sureties for the like sum each to the satisfaction of the court below, and subject to the following terms and conditions:-

(i) The petitioner shall report before the Investigating Officer in between 9 a.m. and 11 a.m. on all Fridays and Tuesdays, commencing from 30.01.2015 for a period of three months or till the filing of the final report in this case, whichever is earlier.

(ii) The petitioner shall not tamper with the evidence or influence witnesses.

(iii) The petitioner shall make himself available for interrogation as and when required by the Investigating Officer.

(iv) The petitioner shall not involve in any offence while on bail.

It is made clear that the violation of any of the conditions stipulated above will result in the cancellation of bail.

**Sd/- B.KEMAL PASHA,
JUDGE**

dl

[True copy]

P.A. to Judge