

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.ABRAHAM MATHEW

FRIDAY, THE 15TH DAY OF MAY 2015/25TH VAISAKHA, 1937

Bail Appl..No.2405 of 2015

CRIME NO. 1/2014 OF BALUSSERY POLICE STATION,KOZHIKODE.

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PETITIONER/1ST ACCUSED:

**RAZIK,AGED 22 YEARS,S/O.ABDUL RAZAK @KOTTAYAM RAZAK,
VANCHIPRAYIL HOUSE,KALIKAVU PANCHAYATH,
VELLAYUR VILLAGE,NAILAMBUR TALUK,
MALAPPURAM DISTRICT,PIN-676 525.**

BY ADV.SRI.M.SHYJU

RESPONDENT/COMPLAINANT:

**THE EXCISE RANGE OFFICER,
BALUSSERY EXCISE RANGE,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,ERNAKULAM-682031.**

BY PUBLIC PROSECUTOR SRI.K.K.RAJEEV.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 15-05-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

pk

K. ABRAHAM MATHEW, J.

B.A. No. 2405 of 2015

Dated this the 15th day of May, 2015

ORDER

The petitioner is the first accused in Crime No. 1/2014 of Balussery Excise Range in Kozhikode District. The allegation is that he was found to be in possession of 949 grams of Heroin and thus he committed the offence under Sections 21(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

2. Learned counsel submits that the petitioner has been in custody since 13.04.2014 and he may be granted bail.

3. Heard.

4. Final report has already been filed. Admittedly, the petitioner was in possession of the contraband article. The only question is whether he was in conscious possession of it, which is disputed by him. It is the matter to be decided at the trial. Having regard to the nature of the offence, I am not inclined to grant him bail.

In the result, this application is dismissed.

**K. ABRAHAM MATHEW
JUDGE**

DMR/-