

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. 2536 of 2015

AGAINST OR NO.2/2014 OF NARCOTICS CONTROL BUREAU, COCHIN

PETITIONER/ACCUSED NO.1:

**AJITH E.S., AGED 27 YEARS,
S/O. SASI E.K., ELAVUNGAL HOUSE, KODIKULAM P.O.
THODUPUZZHA.**

BY ADV. SRI.A.P.SUBHASH

RESPONDENT/COMPLAINANT:

**STATE,
REPRESENTED BY SPECIAL PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY ADV. SRI.MVS.NAMBOOTHIRY

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

PJ

K.ABRAHAM MATHEW, J.

B.A.No. 2536 of 2015

Dated this the 15th day of May, 2015

ORDER

Petition filed under Section 439(1) Cr.P.C.

2. Petitioner was found to be in possession of 1.98 K.g of Heroin and thus he committed the offences under Sections 8(c), 23, 27A, 28 and 29 of NDPS Act.

3. The learned counsel submits that as the petitioner has been in custody since 14.11.2014 he may be granted bail.

4. Heard.

5. The application is opposed. Final report has already been filed. Admittedly, the petitioner was in possession of the contraband article. His defence is that he was not aware of the presence of the contraband in the baggage allegedly entrusted to him by his friend, which is a matter to be decided at the trial. This is not a fit case to grant bail at this stage.

In the result, this application is dismissed.

**K.ABRAHAM MATHEW
JUDGE**