

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

TUESDAY, THE 7TH DAY OF JULY 2015/16TH ASHADHA, 1937

Bail Appl..No. 3829 of 2015 ()

CRIME NO. 59/2015 OF NILESHWAR EXCISE RANGE, KASARAGOD DISTRICT

PETITIONER/ACCUSED NO 2 :

**MANOJ E., AGED 39 YEARS,
S/O. NARAYANAN, ITTAMMAL VEEDU, KUNHIPPARA
KALICHAMARAM, KARINDALAM VILLAGE,
HOSDURG TALUK**

**BY ADVS.SRI.C.K.SREEJITH
SRI.MURUGAN P.V.
SMT.MARY RANZOM LOUIZ
SRI.P.J.SONY**

RESPONDENTS/COMPLAINANTS :

**1. THE STATION HOUSE OFFICER
NILESHWAR EXCISE RANGE, KASARAGOD DISTRICT
REP. BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA,
ERNAKULAM - 682 031.**

**2. STATE OF KERALA
REP. BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM - 682 031**

R1 & R2 BY PUBLIC PROSECUTOR SMT. REMA R.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 07-07-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

K. ABRAHAM MATHEW, J.

B.A. No.3829 of 2015

Dated this the 7th day of July, 2015

ORDER

Petition filed under Section 439 Cr.P.C.

2. Petitioner is the accused of having committed the offence under Section 58A of Abkari Act.

3. He was found to be in possession of 7 liters of Indian Made Foreign Liquor which was supposed to be sold only in Pondicherry.

4. Heard.

5. The learned counsel submits that the petitioner has been in custody since 21.06.2015 and he may be granted bail. The application is opposed. The learned Public Prosecutor submits that the petitioner is involved in another case. There are no sufficient ground to believe that the petitioner is not guilty of offence or that he will not commit it again if he is released on bail. So bail cannot be granted to him at this stage.

In the result, this application is dismissed.

sd/-

K. ABRAHAM MATHEW
JUDGE

R.AV

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PA to Judge