

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

TUESDAY, THE 21ST DAY OF JULY 2015/30TH ASHADHA, 1937

Bail Appl..No. 4165 of 2015 ()

CRIME NO. 90/2015 OF KARUNAGAPPALLY EXCISE RANGE, KOLLAM DISTRICT

PETITIONER/ACCUSED :

**BIJOY
AGED 42 YEARS, S/O.CHACKO,
R/AT PULLAMPALLY PUTHEN VEEDU
THAZHAVA THEKKUM MURI KIZHAKKU MURI,
THAZHAVA VILLAGE, KARUNAGAPPALLY TALUK,
KOLLAM DISTRICT.**

BY ADV. SRI.A.AHZAR

RESPONDENT/COMPLAINANT :

**STATE OF KERALA
THROUGH THE EXCISE INSPECTOR
KARUNAGAPPALLY EXCISE RANGE
REP. BY ITS PUBLIC PROSECUTOR
HIGH COURT OF KERALA,
ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT. REMA R.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 21-07-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

K. ABRAHAM MATHEW, J.

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B.A.No. 4165 of 2015

Dated this the 21st day of July, 2015

O R D E R

Petition filed under Section 439 Cr.P.C.

2. Petitioner is said to have committed the offence under Section 8 of the Abkari Act. He was found to be in possession of 10 litres of arrack.

3. Heard.

4. Learned counsel submits that taking into consideration of the period of custody, the petitioner may be granted bail. He has been in custody since 20.06.2015. Arrack is a prohibited item in Kerala. Possession of even a drop of arrack attracts the offence. The quantity seized from the petitioner is 10 litres. The purpose for which it was kept is obvious. The application is opposed. There are no grounds to believe that the petitioner has not committed the offence or that he will not commit it again, if he is released on bail.

In the result, this application is dismissed.

Sd/-

**K. ABRAHAM MATHEW,
JUDGE**

DST

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P.A. To Judge