

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

MONDAY, THE 5TH DAY OF OCTOBER 2015/13TH ASWINA, 1937

Bail Appl..No. 5490 of 2015

CRIME NO. 317/2015 OF THUMBA POLICE STATION , THIRUVANANTHAPURAM

PETITIONER(S)/ACCUSED 1&2:

1. MANDHA PRADHAN, AGED 22 YEARS,
S/O.ALOK KUMAR PRADHAN, SYAMSUNDERPUR VILLAGE,
SABANG TALUK, PACHIMA MEDINIPUR DISTRICT, WEST BENGAL.
2. SUSANTHA BERA, AGED 21 YEARS,
S/O.MADHAN BERA, DHUB RAJPUR VILLAGE, SABANG TALUK,
PACHIMA MEDINIPUR DISTRICT, WEST BENGAL.

BY ADV. SRI.G.SUDHEER

RESPONDENT(S)/COMPLAINANT:

**STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682031.**

BY PUBLIC PROSECUTOR SMT.R.REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 05-10-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

A. HARIPRASAD, J.

Bail Appl. No.5490 of 2015

Dated this the 5th day of October 2015

ORDER

Bail application filed under Sec.439 Cr.P.C.

2. Petitioners are accused nos.1 and 2 in Crime No.317 of 2015 of Thumba Police station registered for the offences punishable under Secs.20(b)(ii)(B) of the Narcotic Drugs and Psychotropic Substances Act. The matter is now pending as S.C. No.586 of 2015 before the Additional Sessions Judge, Thiruvananthapuram. The petitioners are migrant labourers staying in labour camps. The prosecution case is that, on 08.05.2015 at about 9.45 a.m., they were found possessing 1.200 kgs of ganja in small sachet intended for sale.

3. Heard the learned counsel for the petitioners and the learned Public Prosecutor.

4. Learned counsel for the petitioners submitted that the petitioners are in custody from 08.05.2015 onwards.

Considering the fact that the quantity of the

contraband involved is intermediate quantity and also the fact the petitioners, natives of West Bengal, are in custody from 08/05/2015, bail is granted to them with the following conditions.

i. The petitioners shall be released on bail on their executing a bond for Rs.1,00,000/- (Rupees one lakh only) each with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate having jurisdiction.

ii. The sureties shall be the persons permanently residing in the State of Kerala and shall produce documents to establish their identity and solvency.

iii. The petitioners shall appear before the Court below on all posting dates without fail.

iv. The petitioners shall not intimidate or attempt to influence the witnesses, nor shall they tamper with the evidence.

v. The petitioners shall not involve in
any other offence during the period of bail.

In case of violation of any of the above
conditions, the learned Magistrate is empowered to
cancel the bail in accordance with law without referring
the matter to this Court.

Sd/-
A. HARIPRASAD
JUDGE

/ True Copy /

NS/05/10/2015

P.A. To Judge