

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

THURSDAY, THE 1ST DAY OF OCTOBER 2015/9TH ASWINA, 1937

Bail Appl..No. 5955 of 2015 ()

CRIME NO. 65/2015 OF HOSDURG EXCISE RANGE, KASARAGOD DISTRICT

PETITIONER/ACCUSED :

**P.R.OMANA, AGED 51 YEARS
W/O.LATE SUKUMARAN, RESIDING AT CLINIPARA
THAYANNUR VILLAGE, VELLARIKUNDU TALUK
KASARAGOD DISTRICT.**

**BY ADVS.SRI.T.MADHU
SMT.C.R.SARADAMANI**

RESPONDENT/STATE :

**THE STATE OF KERALA
THROUGH THE EXCISE RANGE OFFICER
HOSDURG EXCISE RANGE, KASARAGOD DISTRICT
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM-682031.**

BY PUBLIC PROSECUTOR SMT. LALIZA T.Y.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 01-10-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

A.HARIPRASAD, J.

B.A.No.5955 of 2015

Dated this the 1st day of October, 2015

O R D E R

Application filed under Section 439 of the Code of Criminal Procedure.

2. Petitioner is the accused in Crime No.65 of 2015 of Hosdurg Excise Range registered for the offences punishable under Sections 8(1) and (2) of the Abkari Act.

3. Prosecution allegation against the petitioner is that on 22.07.2015 at about 05.30 p.m., he was found in possession of 8 litres of arrack in a can. He surrendered in the court on 28.07.2015.

4. Heard the learned counsel for the petitioner and the learned Public Prosecutor.

5. Leaned Public Prosecutor opposed the bail application. She contended that the accused is involved in another crime of a like nature.

6. Considering the nature of allegations including the quantity of the contraband seized and the period of detention, I am inclined to grant bail to the petitioner with

the following conditions:

- (a) The petitioner shall be released on bail on his executing a bond for ₹50,000/- (Rupees fifty thousand only) with two solvent sureties for the like sum to the satisfaction of the learned magistrate having jurisdiction.
- (b) The sureties shall produce documents to establish their identity and solvency. The learned Magistrate need not insist on solvency certificate, but other documents can also be perused to find out whether the sureties are solvent or not.
- (c) The petitioner shall appear before the Investigating Officer on all Mondays and Thursdays between 10.00 a.m and 11.00 a.m. until the final report is filed.
- (d) The petitioner shall not intimidate or attempt to influence the witnesses.
- (e) The petitioner shall not in any manner interfere or meddle with the investigation.

- (f) Petitioner shall not, during the period of this bail get involved in any offence.

In case any of the above conditions is violated, bail granted hereby is liable to be cancelled for which the investigating officer may move application before the jurisdictional magistrate.

Sd/-
A.HARIPRASAD, JUDGE.

AS

/True Copy/

P.A. to Judge