

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. 6030 of 2015

CRIME NO. 227/2015 OF KOLLAM EXCISE RANGE, KOLLAM DISTRICT.
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PETITIONER/ACCUSED NO.1:

**ABINRAJ, AGED 28 YEARS,
S/O.RAJAN, MALLEKKARA COLONY,
KUMARAPURAM VILLAGE,
HARIPAD, ALAPPUZHA DISTRICT.**

**BY ADVS.SRI.BLAZE K.JOSE
SRI.M.RAJESH**

RESPONDENT(S)/COMPLAINANT:

- 1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, PIN - 682031.**
- 2. EXCISE INSPECTOR,
EXCISE RANGE OFFICE, KOLLAM, PIN - 673001.**

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:**

mbr/

A.HARIPRASAD, J.

B.A. No.6030 of 2015

Dated this the 5th day of October, 2015

ORDER

Application for bail under Section 439 of the Code of Criminal Procedure.

2. Petitioner is the second accused in Crime No.227 of 2015 of Kollam Excise Range involving offences punishable under Sections 58 and 67B of the Abkari Act.

3. Allegation is that on 26.08.2015 at about 22 hours, while the Excise party was conducting search of vehicles, they found out 99 litres of Indian Made Foreign Liquor kept in a vehicle. Petitioner ran away. Later he surrendered before the Magistrate on 19.09.2015.

4. Heard both sides.

5. Learned counsel for the petitioner submitted that the first accused in the crime has been released on bail as per order in B.A.No.5689 of 2015 and the third accused as per order on B.A.No.5727 of 2015.

Considering the stage of investigation, following order is passed:

- i. Petitioner shall be released on bail on executing a bond for ₹50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the Magistrate having jurisdiction.
- ii. The sureties shall produce documents to establish their identity and solvency.
- iii. The petitioner shall appear before the Investigating Officer on all Mondays and Thursdays between 10.00 and 11.00 a.m until final report is filed.
- iv. The petitioner shall not indulge in any offence while on bail.
- v. The petitioner shall not influence or intimidate the witnesses or meddle with the investigation in any manner.

If any of the above conditions is breached by the petitioner, the learned Magistrate is free to cancel bail without referring the matter to this Court

A. HARIPRASAD, JUDGE.

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