

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

TUESDAY, THE 27TH DAY OF OCTOBER 2015/5TH KARTHIKA, 1937

Bail Appl..No. 6040 of 2015 ()

**CRIME NO. 2/2015 OF THIRUVANANTHAPURAM EXCISE RANGE OFFICE ,
THIRUVANANTHAPURAM**

PETITIONERS/ACCUSED :

**NAZAR, AGED 38,
S/O. SAINALABDEEN, RESIDING AT CHITTUVEEDU MURI
NALUKALLU, THOLICODE, PARANDODE
NEDUMANGAD TALUK, THIRUVANANTHAPURAM.**

BY ADV. SRI.K.G.VENUGOPAL

RESPONDENT/COMPLAINANT :

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

BY PUBLIC PROSECUTOR SMT. R. REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 27-10-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

A.HARIPRASAD, J.

B.A.No.6040 of 2015

Dated this the 27th day of October, 2015

ORDER

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

2. Petitioner is the accused in Crime No. 2 of 2015 of Thiruvananthapuram Excise Range registered for the offence punishable under Section 20(b)(ii)(B) of the NDPS Act.

3. Prosecution case is that on 03.09.2015, the petitioner was found in possession of 1kg and 4gms of ganja in contravention of the provisions of the NDPS Act.

4. Heard both sides.

5. The learned Prosecutor opposed the bail application. It is submitted that the petitioner is involved in 2 other cases of a similar nature.

6. Considering the quantity of the contraband and the fact that the petitioner was arrested on 03.09.2015, bail is granted to the petitioner with the following strict conditions:

(a) The petitioner shall be released on bail on

his executing a bond for ₹1,00,000/- (Rupees one lakh only) with two solvent sureties for the like sum to the satisfaction of the learned Special Judge having jurisdiction.

- (b) The sureties shall produce documents to establish their identity and solvency. The learned Special Judge 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 surrender his passport forthwith before the learned Special Judge. If he does not have a passport, he shall file an affidavit to that effect.
- (e) The petitioner shall not intimidate or attempt to influence the witnesses.

(f) The petitioner shall not in any manner interfere or meddle with the investigation.

(g) The petitioner shall not, during the period of this bail get involved in any offence.

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

Sd/-
A.HARIPRASAD, JUDGE.

AS

/True Copy/

P.A. to Judge