

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

WEDNESDAY, THE 25TH DAY OF NOVEMBER 2015/4TH AGRAHAYANA, 1937

Bail Appl..No. 7323 of 2015

CRIME NO. 110/2015 OF HOSDURG EXCISE RANGE, KASARGOD DISTRICT.
.....

PETITIONER/ACCUSED:

**SURESH A.C., AGED 43 YEARS,
S/O. CHAKRAPANI, PERINKAYA,
KALLAR VILLAGE, VELLARIKKUNDU TALUK,
KASARAGOD DISTRICT**

BY ADV. SRI.K.P.HARISH

RESPONDENT(S)/STATE & COMPLAINANT:

- 1. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM - 682 031.**
- 2. THE EXCISE RANGE OFFICER,
(CRIME NO 110/2015 OF HOSDURG EXCISE RANGE),
KASARAGOD DISTRICT - 671 313.**

BY PUBLIC PROSECUTOR SMT.T.Y.LALIZA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 25-11-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

A.HARIPRASAD, J.

B.A. No.7323 of 2015

Dated this the 25th day of November, 2015

ORDER

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

2. Petitioner is the accused in Crime No.110 of 2015 of Hosdurg Excise Range registered for offences punishable under Sections 8(1) and (2) and 55(g) of the Abkari Act. He seeks bail.

3. Allegation is that at 6.00 p.m. on 27.10.2015, the petitioner was found in possession of 80 litres of wash and four litres of liquor in his house.

4. Heard both sides.

5. Learned counsel for the petitioner submitted that the petitioner remains in custody from 27.10.2015 onwards.

6. Learned Prosecutor submitted that the investigation has advanced to a considerable extent. It is also submitted that the petitioner is not involved in any other offence.

Therefore, bail is granted to the petitioner with following conditions:

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 learned Magistrate having jurisdiction.

ii. The sureties shall produce documents to establish their identity and solvency. The lower court need not insist on the solvency certificate, but other documents can also be perused to find out whether the sureties are solvent or not.

iii. Petitioner shall appear before the Investigating Officer on all Mondays and Thursdays between 9.00 and 10.00 a.m until final report is filed.

iv. He shall not indulge in any offence while on bail.

v. He 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 lower court concerned is free to cancel bail without referring the matter to this Court.

A. HARIPRASAD, JUDGE.

cks