

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR. JUSTICE A.HARIPRASAD**

**TUESDAY, THE 15TH DAY OF DECEMBER 2015/24TH AGRAHAYANA, 1937**

**Bail Appl..No. 7889 of 2015 ()**

**CRIME NO. 69/2015 OF KUMBLA EXCISE RANGE, KASARAGOD DISTRICT**

**PETITIONER/ACCUSED:**

**A.ASHOKA, S/O.SANJEEVA, AGED 38 YEARS,  
BHAGAVATHI NAGAR, VEERA NAGAR DESOM,  
ICHILAMKODE VILLAGE, MANJESHWAR TALUK,  
KASARAGOD.**

**BY ADV. SRI.T.G.RAJENDRAN**

**RESPONDENT(S)/COMPLAINANT/STATE:**

**1. THE STATION HOUSE OFFICER,  
KUMBLA EXICSE RANGE, KASARAGOD-671 321.**

**2. STATE OF KERALA,  
RREP. BY PUBLIC PROSECUTOR,  
HIGH COURT OF KERALA, ERNAKULAM-682 031.**

**BY PUBLIC PROSECUTOR SMT. LALIZA.T.Y.**

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION  
ON 15-12-2015, THE COURT ON THE SAME DAY PASSED THE  
FOLLOWING:**

**sts**

**A.HARIPRASAD, J.**

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**B.A.No.7889 of 2015**  
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Dated this the 15<sup>th</sup> day of December, 2015

**ORDER**

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

2. Petitioner is the accused in Crime No.69 of 2015 of Kumbbla Excise Range registered for the offences punishable under Sections 58 and 67B of the Abkari Act.

3. Petitioner faces an accusation that on 23.11.2015 at about 01.05 p.m., he transported total quantity of 3.96 litres of Indian Made Foreign Liquor in contravention of the provisions of the Abkari Act. He was arrested from the spot.

4. Heard both sides.

5. Learned counsel for the petitioner submitted that the petitioner remains in custody from 23.11.2015.

6. Learned Public Prosecutor submitted that the petitioner is not involved in any other crime earlier.

7. Considering the nature of allegations, stage of investigation 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 lower court 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) The 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.

AS

Sd/-  
**A.HARIPRASAD, JUDGE.**

/True Copy/

P.A. To Judge