

(2024) 08 UK CK 0114

Uttarakhand High Court

Case No: First Bail Application No. 1551 Of 2024

Gaurav Rawat

APPELLANT

Vs

State Of Uttarakhand

RESPONDENT

Date of Decision: Aug. 22, 2024

Acts Referred:

- Narcotic Drugs And Psychotropic Substances Act, 1985 - Section 8, 20

Hon'ble Judges: Ravindra Maithani, J

Bench: Single Bench

Advocate: Shashi Kant Shandilya, M.A. Khan

Final Decision: Allowed

Judgement

Ravindra Maithani, J

1. The applicant is in judicial custody in Session Trial No.190 of 2014, State vs. Gaurav Rawat, pending in the court of Special Judge, NDPS Act, Dehradun. This case is based on Case Crime No.317 of 2013, under Sections 8/20 of the Narcotic Drugs and Psychotropic Substances Act, 1985, Police Station Patelnagar, District Dehradun. He has sought his release on bail.

2. Heard learned counsel for the parties and perused the record.

3. It appears that the applicant is facing trial. He remains absent on 12.12.2022 and on 20.03.2024, he was arrested and was brought before the Court. He had applied for bail and his bail application was rejected on the ground that earlier also, the applicant had not appeared during trial.

4. Learned counsel for the applicant would submit that the father of the applicant was suffering with various ailments. He is 70 years of age. Due to which, the applicant could not appear on some dates. The trial is pending for a long. He would submit that, as of now, only one witness P.W.1 could be examined and the examination of PW2 is yet to be concluded.

5. Learned State Counsel would submit that the applicant did not appear during trial.

6. Fact remains that the applicant is facing trial for the last ten years and what is stated is that only one witness has been examined.

7. Having considered the entirety of facts, this Court is of the view that the applicant deserves to be enlarged on bail.

8. The bail application is allowed.

9. Let the applicant be released on bail, on his executing a personal bond and furnishing two reliable sureties, each of the like amount, to the satisfaction of the court concerned.