

(2024) 11 UK CK 0004

Uttarakhand High Court

Case No: First Bail Application No. 2084 Of 2024

Aakash Pal Alias Kalwa Alias
Durlabh

APPELLANT

Vs

State Of Uttarakhand

RESPONDENT

Date of Decision: Nov. 7, 2024

Acts Referred:

- Narcotic Drugs And Psychotropic Substances Act, 1985 - Section 8, 21

Hon'ble Judges: Ravindra Maithani, J

Bench: Single Bench

Advocate: M.C. Upadhyay, S.C. Dumka

Final Decision: Allowed

Judgement

Ravindra Maithani, J

- Applicant is in judicial custody in FIR No.224 of 2024, under Sections 8/21 of the Narcotic Drugs and Psychotropic Substances Act, 1985 ("the Act"), Police Station Transit Camp, District Udham Singh Nagar.
- Heard learned counsel for the parties and perused the record.
- According to the FIR, on 29.08.2024, 35.34 grams Smack was allegedly recovered from the possession of the applicant.
- It is the case of the applicant that the alleged recovered quantity is less than commercial; nothing was recovered from the applicant; there has been non-compliance of the provisions of the Act; he is not a previous convict.
- Learned State Counsel would submit that the bail rejection order does not reveal any previous conviction of the applicant.
- Having considered, this Court is of the view that it is a case fit for bail and the applicant deserves to be enlarged on bail.
- The bail application is allowed.
- Let the applicant be released on bail, on his executing a personal bond and furnishing two reliable sureties, each in the like amount, to the satisfaction of the court concerned.