

(2024) 11 UK CK 0094

Uttarakhand High Court

Case No: First Bail Application No. 2130 Of 2024

Jeva

APPELLANT

Vs

State Of Uttarakhand

RESPONDENT

Date of Decision: Nov. 12, 2024

Acts Referred:

- Narcotic Drugs And Psychotropic Substances Act, 1985 - Section 8, 21, 29

Hon'ble Judges: Ravindra Maithani, J

Bench: Single Bench

Advocate: Pawan Mishra, Rangoli Purohit

Final Decision: Allowed

Judgement

Ravindra Maithani, J

- Applicant is in judicial custody in FIR No.673 of 2024, under Section 8/21/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 ("the Act"), Police Station Patelnagar, District Dehradun. She has sought her release on bail.
- Heard learned counsel for the parties and perused the record.
- According to the FIR, on 25.10.2024, 50.17 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; there is no independent witness; there has been non-compliance of the provisions of the Act; she 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 her executing a personal bond and furnishing two reliable sureties, each in the like amount, to the satisfaction of the court concerned.