

(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

1. 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 Patel Nagar, District Dehradun. She has sought her release on bail.

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

3. According to the FIR, on 25.10.2024, 50.17 grams smack was allegedly recovered from the possession of the applicant.

4. 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.

5. Learned State Counsel would submit that the bail rejection order does not reveal any previous conviction of the applicant.

6. 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.

7. The bail application is allowed.

8. 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.