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**(2024) 11 UK CK 0108**

**Uttarakhand High Court**

**Case No:** First Bail Application No. 2145 Of 2024

Joni

APPELLANT

Vs

State Of Uttarakhand

RESPONDENT

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**Date of Decision:** Nov. 13, 2024

**Acts Referred:**

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

**Hon'ble Judges:** Ravindra Maithani, J

**Bench:** Single Bench

**Advocate:** Pankaj Kumar Sharma, Pankaj Joshi

**Final Decision:** Allowed

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**Judgement**

Ravindra Maithani, J

1. Applicant is in judicial custody in FIR No.756 of 2024, under Sections 8/20 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (â€œthe

Actâ€), Police Station Bhagwanpur, District Haridwar. He has sought his release on bail.

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

3. According to the FIR, on 28.09.2024, 275 grams Charas was allegedly recovered from the possession of the applicant.

4. It is the case of the applicant that it is a false case; there has been non compliance of the provisions of the Act; the alleged recovered quantity is

less than commercial; he 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 his executing a personal bond and furnishing two reliable sureties, each in the like amount, to the satisfaction of the court concerned.