
(2024) 11 UK CK 0139

Uttarakhand High Court

Case No: First Bail Application No. 1437 Of 2024

Puttan Khan

APPELLANT

Vs

State Of Uttarakhand

RESPONDENT

Date of Decision: Nov. 26, 2024

Acts Referred:

- Narcotic Drugs And Psychotropic Substances Act, 1985 - Section 8, 20, 60

Hon'ble Judges: Ravindra Maithani, J

Bench: Single Bench

Advocate: Karan Singh Dugtal, Manisha Rana Singh

Final Decision: Dismissed

Judgement

Ravindra Maithani, J

1. Delay in filing counter affidavit is condoned. Counter Affidavit is taken on record. Delay Condonation Application IA No.1 of 2024, stands disposed

of, accordingly.

2. Applicant is in judicial custody in Case Crime No.0168 of 2023, under Section 8/20/60 of the Narcotic Drugs and Psychotropic Substances Act,

1985 (the Act), Police Station Kathgodam, District Nainital. He has sought his release on bail.

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

4. According to the FIR, on 17.11.2023, 1.200 Kgs charas was allegedly recovered from the possession of the applicant.

5. Learned counsel for the applicant would submit that the entire case is false; the inventory report as allegedly prepared at the time of recovery, but it

records the FIR number, which is not possible because the FIR was lodged subsequent to the recovery.

6. Learned State Counsel would submit that the inventory report was not prepared at the time of recovery, instead, it was prepared at the police

station by the Station House Officer, as it records. She would submit that the allegedly recovered article was re-sealed by the Station House Officer,

and at that moment, he prepared inventory report.

7. In fact, the inventory report has been signed by the Station House Officer, who is admittedly not a part of the police team, which recovered the

article.

8. It is a case of recovery of commercial quantity of charas.

9. Having considered, this Court does not see any reason, which may entitle the applicant to bail. Accordingly, the bail application deserves to be

rejected.

10. The bail application is rejected.