
(2024) 12 UK CK 0084

Uttarakhand High Court

Case No: First Bail Application No. 2492 Of 2024

Shantanu Kumar Saini

APPELLANT

Vs

State Of Uttarakhand

RESPONDENT

Date of Decision: Dec. 24, 2024

Acts Referred:

- Narcotic Drugs And Psychotropic Substances Act, 1985 - Section 2(vii-a), 2(xxiii-a), 8, 21, 60

Hon'ble Judges: Alok Kumar Verma, J

Bench: Single Bench

Advocate: Medha Pande, Manisha Rana Singh

Final Decision: Allowed

Judgement

Alok Kumar Verma, J

1. Present Application has been filed for grant of regular bail in the Case Crime No. 125 of 2024, registered at police station Shyampur, District

Haridwar.

2. The applicant - Shantanu Kumar Saini is in judicial custody for the offence under Section 8/21/60 of the Narcotic Drugs and Psychotropic

Substances Act, 1985.

3. The police party apprehended the applicant - accused on 20.11.2024 and recovered 29 grams of smack from his possession.

4. Heard Ms. Medha Pande, learned counsel for applicant and Mrs. Manisha Rana Singh, learned Deputy Advocate General for respondent.

5. Ms. Medha Pande, Advocate, has contended that the applicant has been falsely implicated in the present matter. Nothing was recovered from his

possession. The recovered article is less than commercial quantity. Applicant does not have any criminal antecedents. He is a permanent resident of

District Bijnor, therefore, there is no likelihood of his absconding.

6. Mrs. Manisha Rana Singh, learned Deputy Advocate General, has opposed the Bail Application orally.

7. As per Table prepared under Section 2(xx iii - a) and Section 2(vii- a) of the said Act, 1985, lesser than 5 grams of Smack (Heroin) is small

quantity and greater than 250 grams of Smack is commercial quantity (Entry No. 56).

8. Having considered the submissions of learned counsel for both the parties and in the facts and circumstances of the case, without expressing any

opinion as to the merit of the case, this Court is of the view that the applicant deserves bail at this stage.

9. The Bail Application is allowed.

10. Let the applicant - Shantanu Kumar Saini 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.