
(2025) 12 UK CK 0031

Uttarakhand HC

Case No: First Bail Application No. 2421 Of 2025

Bhawdeep Singh

APPELLANT

Vs

State Of Uttarakhand

RESPONDENT

Date of Decision: Dec. 15, 2025

Acts Referred:

- Narcotic Drugs And Psychotropic Substances Act, 1985 - Section 2(viia), 2(xxiiiia), 8, 18, 42, 60

Hon'ble Judges: Alok Kumar Verma, J

Bench: Single Bench

Advocate: Karan Singh Dugtal, Rangoli Purohit

Final Decision: Allowed

Judgement

Alok Kumar Verma, J

1. The applicant- Bhawdeep Singh is in judicial custody for the offence under Section 8 read with Section 18 and Section 60 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (in short, Act, 1985) in Case Crime No.283 of 2025, registered at Police Station Gadarpur, District Udham Singh Nagar.

2. According to the First Information Report dated 29.10.2025, the applicant was travelling on a motorcycle, bearing Registration No.UK06BL-3958, on 28.10.2025. Two polythenes were kept on his motorcycle. He told the police that there was opium in the said polythenes. The police recovered 1.902 Kg. opium from the said polythenes. The applicant was arrested at 21:20 hrs.

3. Heard Mr. Karan Singh Dugtal, learned counsel for the applicant and Mrs. Rangoli Purohit, learned Brief Holder for the respondent.

4. Mr. Karan Singh Dugtal, Advocate, submitted that the applicant is an innocent person. He was falsely implicated by the police. The alleged opium was not recovered from his possession. There was no independent witness at the time of the

alleged recovery from the applicant. This fact also makes the story of the police doubtful. The mandatory provision of Section 42 of the Act, 1985 was not followed. Applicant has no criminal antecedents. He is a permanent resident of District Bareilly, Uttar Pradesh, therefore, there is no possibility of his absconding, and, the alleged recovered contraband does not fall under the category of commercial quantity.

5. Mrs. Rangoli Purohit, Brief Holder, has opposed the bail application orally. However, she submitted on instructions that the applicant has no criminal antecedents.

6. As per Table prepared under Section 2 (xxiii-a) and Section 2 (vii-a) of the Act, 1985, lesser than 25 grams of Opium is small quantity and greater than 2.5 Kg. of Opium is commercial quantity (Entry No.92).

7. The object of keeping the accused in detention during the investigation is not punishment. The main purpose is manifestly to secure the attendance of the accused.

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 merits 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 Bhawdeep Singh 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.