



2025:UHC:11361

IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL

THE HON'BLE SRI JUSTICE ALOK KUMAR VERMA

18TH DECEMBER, 2025

FIRST BAIL APPLICATION NO.2432 of 2025

Babar Applicant

Versus

State of Uttarakhand Respondent

Counsel for the Applicant : Mr. Gaurav Singh,
Advocate.

Counsel for the Respondent : Mr. Akshay Latwal,
Assistant Government
Advocate.

Hon'ble Alok Kumar Verma,J.

Applicant-Babar is in judicial custody for the offence punishable under Section 8 read with Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (in short, "Act, 1985") in Case Crime No.868 of 2025, registered at Police Station Laksar, District Haridwar.

2. According to the First Information Report dated 03.09.2025, the police apprehended the applicant on suspicion. He was searched. He kept a polythene bag in his right pocket. The police recovered 96 capsules of Dicyclomine Hydrochloride Tramadol, Hydrochloride & Acetaminophen with total quantity of



59.52 gm. He was arrested at 18:10 hrs.

3. Heard Mr. Gaurav Singh, learned counsel for the applicant and Mr. Akshay Latwal, learned Assistant Government Advocate for respondent.

4. Mr. Gaurav Singh, Advocate, contended that the applicant is an innocent person. The alleged capsules were not recovered from his possession. The alleged recovery was false. There was no independent witness at the time of the alleged recovery from the applicant. This fact also supports the submission of the applicant. Applicant has no criminal antecedents. He is a permanent resident of District Haridwar, therefore, there is no possibility of his absconding. The mandatory provision of Section 50 of the Act, 1985 has not been followed, and, the alleged recovered drug does not fall under the category of commercial quantity.

5. Mr. Akshay Latwal, Assistant Government Advocate, has opposed the bail application orally. However, he has submitted on instructions that the applicant has no criminal antecedents.

6. As per Table prepared in terms of Section 2 (xxiii-a) and Section 2 (vii-a) of the Act, 1985, 5 gm of Tramadol is small quantity and greater than 250 gm is commercial quantity (Entry No.238 ZH).



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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 – Babar 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.

ALOK KUMAR VERMA, J.

Date: 18.12.2025
JKJ/Pant