



2025:UHC:11485

IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL

THE HON'BLE SRI JUSTICE ALOK KUMAR VERMA

23rd DECEMBER, 2025

SECOND BAIL APPLICATION NO.332 of 2025

Naseem Applicant

Versus

State of Uttarakhand Respondent

Counsel for the Applicant : Mr. Faizan Ali, Advocate.

Counsel for the Respondent : Mr. Tumul Nainwal, Assistant
Government Advocate.

Hon'ble Alok Kumar Verma, J.

Applicant Naseem is in judicial custody for the offence punishable under Section 8 read with Section 20 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (in short, "Act, 1985") in Case Crime No.406 of 2025, registered at Police Station Bhagwanpur, District Haridwar.

2. The First Bail Application (No.2332 of 2025) was dismissed as withdrawn on 19.12.2025 granting liberty to the applicant to file afresh.

3. According to the First Information Report, on 22.11.2025, the police were patrolling. The applicant was apprehended on suspicion. He tried to throw away the article kept in his polythene. He was searched. The police recovered 113 gm. charas from the said



polythene. He was arrested at 13:20 hrs.

4. Heard Mr. Faizan Ali, learned counsel for the applicant and Mr. Tumul Nainwal, learned Assistant Government Advocate for the respondent.

5. Mr. Faizan Ali, Advocate, submitted that the applicant, aged about 60 years, has been falsely implicated by the police. The alleged charas was not recovered from his possession. The alleged recovery was false. There was no independent witness at the time of the alleged recovery. This fact also supports the submission of the applicant. Applicant is a permanent resident of District Haridwar, therefore, there is no possibility of his absconding, and, he has no criminal antecedents.

6. Mr. Tumul Nainwal, Assistant Government Advocate, has opposed the bail application orally. However, he submitted on instructions that the applicant has no criminal antecedents.

7. As per Table prepared under Section 2 (xxiii-a) and Section 2 (vii-a) of the said Act, 1985, lesser than 100 gm of charas is small quantity and greater than 01 Kilogram of charas is commercial quantity (Entry No.23).



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8. 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.

9. 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.

10. The Bail Application is allowed.

11. Let the applicant – Naseem 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 :23.12.2025
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