



2025:UHC:11611

IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL

THE HON'BLE SRI JUSTICE ALOK KUMAR VERMA

29TH DECEMBER, 2025

SECOND BAIL APPLICATION NO.335 of 2025

Islam Applicant

Versus

State of Uttarakhand Respondent

Counsel for the Applicant : Mr. Gaurav Singh,
Advocate through
video conferencing.

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

Hon'ble Alok Kumar Verma,J.

Applicant-Islam is in judicial custody under Section 8 read with Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (in short, "Act, 1985") in Case Crime No.842 of 2025, registered at Kotwali Laksar, District Haridwar.

2. The First Bail Application (No.1665 of 2025) was dismissed as withdrawn on 11.12.2025 granting liberty to the applicant to file a bail application before the concerned Court.

3. Learned Special Judge (NDPS Act), Haridwar has rejected the bail application of the applicant on 18.12.2025.

4. According to the First Information Report dated 23.08.2025, on 06.06.2025, the police received a



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secret information that Islam (applicant), the owner of Bilal Medical Store, is selling Tramadol. The police raided the spot and apprehended the applicant. The police recovered 108 capsules of Acetaminophen Tramadol Hydrochloride & Dicyclomine Hydrochloride Capsules, with a total weight of 60.48 gram, from his shop. He was arrested at 18:00 hrs.

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

6. Mr. Gaurav Singh, Advocate, contended that the applicant is innocent. He has been falsely implicated by the police. The alleged capsules were not recovered from the possession of the applicant. The alleged recovery was planted. There was no independent witness at the time of the alleged recovery. This fact also makes the story of police doubtful. Applicant has no criminal antecedents. He is a permanent resident of District Haridwar, therefore, there is no possibility of his absconding, and, the alleged recovered Tramadol is less than commercial quantity.

7. Mr. Akshay Latwal, learned Assistant Government Advocate, has opposed the bail application orally. However, he submitted on instructions that the



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applicant has no criminal antecedents.

8. 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).

9. 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. There is nothing on record to indicate that the applicant had earlier been involved in any unacceptable activities.

10. 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.

11. The Bail Application is allowed.

12. Let the applicant – Islam 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.

Dt:29.12.2025

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