



2025:UHC:11613

IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL

THE HON'BLE SRI JUSTICE ALOK KUMAR VERMA

29TH DECEMBER, 2025

FIRST BAIL APPLICATION NO.2502 of 2025

Jeevan Kumar

....Applicant

Versus

State of Uttarakhand

....Respondent

Counsel for the Applicant : Ms. Ashwarya Thapliyal,
Advocate holding brief of Mr.
Abhishek Verma, Advocate.

Counsel for the Respondent : Mrs. Sweta Badola Dobhal,
Brief Holder.

Hon'ble Alok Kumar Verma,J.

The applicant-Jeevan Kumar is in judicial custody for the offence under Section 8 read with Section 20 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (in short, "Act, 1985") in Case Crime No.489 of 2025, registered at Police Station Kashipur, District Udham Singh Nagar.

2. According to the First Information Report dated 05.12.2025, on 04.12.2025, three persons were coming on a motorcycle. The applicant was driving the said motorcycle. Seeing the police, he tried to turn the motorcycle. The motorcycle fell down. They were apprehended by the police. Applicant had kept a sack



2025:UHC:11613

on the motorcycle. The police recovered 6.200 Kg Ganja from his sack. He was arrested at 00.25 hrs.

3. Heard Ms. Ashwarya Thapliyal, learned counsel appearing for the applicant and Mrs. Sweta Badola Dobhal, learned Brief Holder for the respondent.

4. Ms. Ashwarya Thapliyal, Advocate, submitted that the applicant is an innocent person. The alleged recovery was planted. There was no independent witness at the time of the alleged recovery from the possession of the applicant. This fact also supports the submission of the applicant. Applicant has no criminal antecedents. He is a permanent resident of District Udham Singh Nagar, therefore, there is no possibility of his absconding. The alleged recovered Ganja does not fall under the category of commercial quantity.

5. Mrs. Sweta Badola Dobhal, Brief Holder has opposed the bail application orally.

6. As per the Table prepared in terms of Section 2(xxiii-a) and Section 2 (vii-a) of the Act, 1985, 1000 grams of Ganja is small quantity and greater than 20 Kg. is the commercial quantity (Entry No.55).

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



2025:UHC:11613

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

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 – Jeevan Kumar 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:29.12.2025
JKJ/ Pant