



2025:UHC:11637

IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL

THE HON'BLE SRI JUSTICE ALOK KUMAR VERMA

30TH DECEMBER, 2025

FIRST BAIL APPLICATION NO. 2516 of 2025

Santosh Singh

.....Applicant

Versus

State of Uttarakhand

.....Respondent

Counsel for the Applicant : Mr. Vikas Anand, Advocate.

Counsel for the Respondent : Mr. Pradeep Lohani, Brief Holder.

Hon'ble Alok Kumar Verma,J.

Applicant Santosh Singh is in judicial custody for the offence punishable under Section 8 read with Section 21 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (in short, "Act, 1985") in Case Crime No.206 of 2025, registered at Police Station Dineshpur, District Udham Singh Nagar.

2. According to the First Information Report dated 29.11.2025, the applicant and co-accused Pankaj Singh were coming on a motorcycle (Registration No.UK06BN2974). Applicant was driving the said motorcycle and the co-accused was a pillion rider. Seeing the police, they tried to run away. They were apprehended by the police. The applicant Santosh Singh was searched by the police. The police recovered 131 gm. of smack from a polythene bag kept in his jeans. The co-accused Pankaj Singh told the police that he and Santosh Singh go to Sitarganj and after taking contraband from Sitarganj, they sell in Dineshpur and Gadarpur. They were arrested at



17:15 hrs.

3. Heard Mr. Vikas Anand, learned counsel for the applicant and Mr. Pradeep Lohani, learned Brief Holder for the respondent.

4. Mr. Vikas Anand, Advocate, appearing for the applicant contended that the applicant has been falsely implicated by the police. The alleged smack was not recovered from his possession. The alleged recovery was planted. The mandatory provision of Section 50 of the Act, 1985 was not followed. Applicant has no criminal antecedents. He is a permanent resident of District Udham Singh Nagar, therefore, there is no possibility of his absconding, and, the alleged recovered contraband is less than commercial quantity.

5. Mr. Pradeep Lohani, learned Brief Holder for the respondent, has opposed the bail application.

6. As per Table prepared under Section 2 (xxiii-a) and Section 2 (vii-a) of the said Act, 1985, lesser than 5 gm of smack is small quantity and greater than 250 gm of smack is commercial quantity (Entry No.56).

7. The object of keeping the accused in detention during the trial 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.

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



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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 – Santosh 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.

ALOK KUMAR VERMA, J.

Dt: 30.12.2025
Pant/