

SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	 COURT'S OR JUDGE'S ORDERS 2026:UHC:2604
			BA1 No.137 of 2026 Deepak Kumar Sharma Vs. State of Uttarakhand <u>Hon'ble Ashish Naithani, J.</u> Mr. Sanjay Bhatt, learned counsel for the Applicant. 2. Mr. N.S. Kanyal, learned AGA for the State. 3. Present bail application has been filed by the applicant, who is in judicial custody in connection with F.I.R. No.0098 of 2025 under Section 8/20 of the Narcotic Drugs and Psychotropic Substance Act, P.S. Tanakpur, District Champawat. 4. Heard learned counsel for the parties. 5. Learned counsel for the applicant at the outset submits that the mandatory provisions of law as provided under Section 42, 50, 52, 54 and 57 of the NDPS Act have not been followed and the applicant has been falsely implicated in the present matter and is languishing in jail since 08.09.2025. It is stated that he has no criminal history and there are no public witness to corroborate the story. It is stated that the applicant is accused of possession of the contraband named, charas weighing 1.208 gram whereas he comes from poor background and does not have financial capacity to purchase any huge quantity that is levied against him and thus it is requested that he may be enlarged on bail for whatsoever condition this Court deems fit. 6. Learned State counsel opposed the bail application, firstly on the ground that the matter relates to the contraband of commercial quantity that was seized from his possession and all the directive and mandatory provision as stipulated in the NDPS Act have been followed regarding search and seizure of the accused. However, it is stated that it is a chance recovery. It is stated that besides documentation of the search, seizure and

			videography of the incident, it was also recorded through videography and there are no reasons for falsely implicating the applicant by the police team in the present case. 7. The contraband so deposited in the maalkhana was specifically documented in the G.D. No.54 at 21:31 hours. 8. It is stated by learned State counsel that the sample of the contraband, so recovered, was sent for the FSL for chemical examination and the report was found to be positive as charas and the documentation are as per the provisions of law and it is thus requested that there are no grounds on which the applicant may be enlarged on bail and it is requested that bail application be rejected. 9. After hearing the rival contention of the learned counsel for the parties, the grounds for bail are not found to be sufficient. The contraband, so recovered from the applicant, is above the quantity mentioned in the schedule of the NDPS Act, which has been corroborated to be shown by the FSL report. At this juncture, there seems to be no legal flaw that would be seen at the time of merits when the case is decided on merits. 10. The bail application stands rejected. (Ashish Naithani, J.) 09.04.2026 Arti
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