

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:3828
			BA 1st No.622 of 2026 Zoya Khan Applicant Vs. ..Respondent State of Uttarakhand <u>Hon'ble Ashish Naithani, J.</u> Ms. Sheetal Selwal, learned counsel for the Applicant. 2. Mr. Pradeep Lohani, learned AGA, for the State of Uttarakhand. 3. In the High Court of Uttarakhand, the present case arises from Bail Application filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, seeking regular bail for the Applicant – Zoya Khan, who has been accused in FIR No.105 of 2026, under Sections 8/21/60 of the NDPS Act, 1985 at Police Station Haldwani, District Nainital. 2. According to the prosecution story, on 27.03.2026, Senior Sub Inspector Bhupendra Singh Mehta along with his accompanying police personnel were on duty for supervision, law and order, prevention of crime in the police station area and when the police team reached near FTI gate while patrolling, a scooty was parked in the dark about 10 meters inside the road, whose indicator was on and when they went towards the scooty regarding its parking at late night, a woman was sitting there with her face covered. When they asked her the reason for standing in a lonely place in the dark, she said that she was coming from the market. On suspicion, when a woman police personnel was asked to search the vehicle, the scooty's trunk was found, a red bag was found inside the bag, when its zip was opened, a clay like powder and a lumpy substance was found inside the bag in a white transparent foil, which prima facie appeared to be smack. On asking the said woman, she told her

name as Zoya Khan and said that the scooter belonged to her and when asked about the recovered smack, she said that it belonged to a person named Adil, who lives in Uttar Ujala and asked her to stand there and come and collect it. When the said recovered smack was weighed on an electronic scale along with the polythene, the total weight came out to be 132 grams. On the basis of the smack recovered from the accused, she was informed of the crime and was taken into police custody and after completing all the formalities on the spot, a case was registered at the police station.

4. Learned counsel for the Applicant submits that the Applicant has been falsely implicated in the present case. He further submits that the Applicant has been languishing in jail since 28.03.2026. It is also contended by the learned counsel for the Applicant that the provisions of Sections 50, 52, 55 and 57 of the NDPS Act, has not been complied with.

5. The bail application of the Applicant has been vehemently opposed by the learned State Counsel.

6. Considering the overall facts and circumstances of the case, the Applicant has made out a case for bail.

7. Accordingly, bail application is allowed. It is directed that the Applicant - Zoya Khan, who has been accused in FIR No.105 of 2026, under Sections 8/21/60 of the NDPS Act, 1985 at Police Station Haldwani, District Nainital, be released on bail on furnishing a personal bond with two reliable sureties each in the like amount to the satisfaction of the concerned court. The Applicant shall cooperate with the trial proceedings and shall not misuse the liberty granted to her.

(Ashish Naithani, J.)

18.05.2026

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