



SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			<u>BA2/111/2026</u> Deepak Kumar Sharma --Applicant Versus State Of Uttarakhand --Respondent <u>Hon'ble Rakesh Thapliyal, J.</u> 1. Mr. Sanjay Bhatt, learned counsel for the applicant. 2. Mr. Sandeep Sharma, learned A.G.A. for the State. 3. This is the second bail application moved on behalf of the applicant Deepak Kumar Sharma, S/o Dharmendra Sharma seeking bail in reference to FIR dated 07.09.2025, bearing FIR No. 0098 of 2025 P.S. Tanakpur District Champawat wherein the present applicant is implicated for the offence punishable under Section 8/20 of the NDPS Act. 4. It is argued by the learned counsel for the applicant that the applicant is innocent and has been falsely implicated and as per the mandate of law though videography was done but in cross-examination one of the witness states that in that videography the applicant is not seen. Apart from this, he submits that present applicant is languishing in jail since 08.09.2025 and though first bail application was rejected by the Coordinate Bench on 09.04.2026, and charge sheet was filed but that aspect was not taken into consideration since in the first bail application the charge sheet at that relevant point of time was not available. Apart from



		this he submits that though the charge sheet is filed but there is no substantial progress in the trial and out of 9 prosecution witnesses up till date only 5 prosecution witnesses have been examined. He further submits that there is no compliance of the mandatory provisions of the NDPS Act particularly of Section 52A though alleged contraband as shown to be recovered is commercial one. In reference to Section 37 of the NDPS Act he submits that the applicant has a criminal antecedent of one case but the same does not relates to the NDPS Act and in such an eventuality rider of Section 37 of the Act can be relaxed. 5. On the other side, Mr. Sharma, learned A.G.A. for the State have not disputed that the charge sheet has already been filed and the applicant have a criminal antecedent of only one case but does not relate to the NDPS Act. 6. After hearing the arguments of the learned counsel for the parties and taking into consideration that the applicant is languishing in jail since 08.09.2025 and the charge sheet has already been filed and there is no substantial progress in the trial and even there is no possibility that the trial would be expedite soon, this Court is of the view that at this stage rider of Section 37 of the NCPS Act can be dispensed with and this Court is of the view that the applicant deserves for bail. 7. Accordingly, without expressing any opinion on the merit of the case, the bail application is allowed. 8. Let the applicant Deepak Kumar Sharma be released on bail on his executing a personal bond and furnishing two reliable sureties of the like amount to the satisfaction of the court condition subject to the condition that the applicant shall join the trial court
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			proceeding on each and every date without seeking unnecessary adjournment and if he found to be indulge in any such activity in future the prosecution is free to move an application for cancellation of bail. (Rakesh Thapliyal, J.) 13-08-2026 Parul
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