

| SL. No. | Date | Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures | <div style="text-align: right;">COURT'S OR JUDGE'S ORDERS</div> <div style="text-align: right;">UKHC010164462025</div> <div style="text-align: right;">  </div> <div style="text-align: right;">2026:UHC:6577</div>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
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|         |      |                                                                                                  | <p><b><u>UKHC010164462025</u></b><br/> <b><u>BA1/1969/2025</u></b></p> <p>Dheeraj Kashyap <span style="float: right;">--Applicant</span></p> <p style="text-align: center;"><b>Versus</b></p> <p>State of Uttarakhand <span style="float: right;">--Respondent</span></p> <p><b><u>Hon'ble Rakesh Thapliyal, J.</u></b></p> <p>Mr. Nadim Azad, learned counsel holding brief of Ms. Pooja Singh, learned counsel for the applicant.</p> <p>2. Mr. Pratiroop Pandey, learned AGA, for the State of Uttarakhand.</p> <p>3. The present applicant - Dheeraj Kashyap S/o Rakshpal Singh, is praying for bail in a reference to FIR dated 12.12.2024 bearing FIR No.00230 of 2024, Police Station Lalkunwa, District Nainital, wherein, the present applicant has been implicated for the offence punishable under Sections 8/22 read with Section 60 of the NDPS Act.</p> <p>4. It is argued by the learned counsel for the applicant that the applicant is innocent and has been falsely implicated and the prohibited drugs as per schedule is shown to be recovered is non commercial quantity and the present applicant is languishing in jail since 12.12.2024, and the applicant has previous criminal antecedents of only one case, that too relates to the offence punishable under Section 379 of IPC, which is of year of 2019, in which he has admitted his guilt. He further submits that in this particular case there is no substantial compliance of NDPS Act, and even otherwise the applicant is languishing in jail since more than two and a half years and there is no any substantial progress in the trial.</p> <p>5. On the other side, Mr. Pratiroop Pandey, learned AGA, have not disputed that the applicant is languishing in jail since more than last two and a half years and also admits that the alleged prohibited drug as per schedule as shown from the possession of the applicant is below the commercial quantity. He further submits that the applicant has criminal antecedents of three cases, which relates to the offence punishable</p> |

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|  |  | <p>under Section 379 of IPC.</p> <p>6. After hearing the submissions of the learned counsel for the parties, and taking into consideration that the quantity of the alleged contraband as recovered is non commercial one and the present applicant is languishing in jail since 12.12.2024, therefore, this Court is of the view that the applicant deserves for bail.</p> <p>7. Accordingly without expressing any opinion on the merits of the case, bail application is allowed.</p> <p>8. Let the applicant - "Dheeraj Kashyap", be released on bail, on his executing a personal bond and furnishing two reliable sureties, each of the like amount to the satisfaction of the Court concerned, subject to the following conditions:-</p> <p>(a) After being released on bail the applicant shall join the Trial Court proceedings on each and every date without seeking any unnecessary adjournment.</p> <p>(b) The applicant shall surrender his passport (if any) to the Trial Court within three days' after being released on bail.</p> <p>(c) The applicant shall not indulge in future in any such criminal activity.</p> <p>(c) The applicant shall report to the concerned nearest Police Station on 1<sup>st</sup> day of every month for six months regularly and the concerned SHO shall record his presence.</p> <p>(d) On breach of any such conditions, the prosecution is directed to move an application for cancellation of bail.</p> <p style="text-align: right;"><b>(Rakesh Thapliyal, J.)</b><br/>29.07.2026</p> <p>Nitesh/</p> |
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