IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

THE HON'BLE SRI JUSTICE ALOK KUMAR VERMA

08TH DECEMBER, 2025

FIRST BAIL APPLICATION NO.2339 of 2025

Pratap Singh .....Applicant

Versus

State of Uttarakhand .....Respondent

Counsel for the Applicant	:	Mr. Aditya Purohit, Advocate
Counsel for the Respondent	:	Mr. Sandeep Sharma, Assistant Government Advocate.

Hon'ble Alok Kumar Verma,J.

The applicant-Pratap Singh is in judicial custody for the offence under Section 8 read with Section 20 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (in short, "Act, 1985") in Case Crime No.24 of 2025, registered at Police Station Mukteshwar, District Nainital.

2. According to the First Information Report dated 02.11.2025, the applicant was apprehended by the police on suspicion. He was searched. The police recovered 433.5 gm. charas from his possession. He was arrested.

3. Heard Mr. Aditya Purohit, learned counsel for the applicant and Mr. Sandeep Sharma, learned

Assistant Government Advocate for the respondent.

4. Mr. Aditya Purohit, Advocate, contended that the applicant has been falsely implicated by the police. The alleged charas was not recovered from his possession. There was no independent witness at the time of the alleged recovery. This fact also supports the submission of the applicant. Applicant has no criminal antecedents. The mandatory provision of Section 50 of the Act, 1985 was not followed. Applicant is a permanent resident of District Nainital, therefore, there is no possibility of his absconding. The alleged recovered charas does not fall under the category of the commercial quantity.

5. Mr. Sandeep Sharma, Assistant Government Advocate has opposed the bail application orally.

6. As per Table prepared under Section 2 (xxiii-a) and Section 2 (vii-a) of the said Act, 1985, lesser than 100 gm of charas is small quantity and greater than 01 Kilogram of charas is commercial quantity (Entry No.23).

7. The object of keeping the accused in detention during the investigation 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 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 – Pratap 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.

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ALOK KUMAR VERMA, J.

Date:08.12.2025
JKJ/Pant