2026:UHC:539

IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

THE HON'BLE SRI JUSTICE ASHISH NAITHANI

ANTICIPATORY BAIL APPLICATION NO. 14 of 2026

Jalun Ali alias Jainul Aabidin .....Applicant

Versus

State of Uttarakhand .....Respondent

Counsel for the Applicant : Mr. Bilal Ahmed, Advocate through V.C.

Counsel for the State : Mr. J.S. Virk, D.A.G. assisted by Mr. R.K. Joshi, Brief Holder.

Hon'ble Ashish Naithani,J.

The present Application under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 has been filed seeking anticipatory bail in connection with FIR/Case Crime No. 391 of 2025, registered at Police Station Bhadrabad, District Haridwar, for offences punishable under Section 8 read with Sections 21 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

2. As per the prosecution case, the FIR was lodged on 08.10.2025 alleging that while the police personnel were performing routine duty, they apprehended a suspected person and recovered 30 grams of smack. During interrogation, the co-accused allegedly

disclosed the name of the present Applicant.

3. Heard Mr. Bilal Ahmed, learned counsel for the Applicant through video conferencing, and Mr. J.S. Virk, learned Deputy Advocate General for the State of Uttarakhand, and perused the record.

4. Learned counsel for the Applicant submits that the Applicant has been falsely implicated; that his implication is solely based on the statement of the co-accused, who is inimical to him or has named him due to misunderstanding.

5. On the other hand, learned D.A.G. for the State has opposed the anticipatory bail application.

6. The present case relates to an offence under Section 8 read with Sections 21 and 29 of the N.D.P.S. Act, wherein the allegation against the Applicant is based only upon the disclosure statement of the co-accused from whose possession the recovery was allegedly made.

7. Personal liberty under Article 21 of the Constitution of India is a valuable fundamental right and can be curtailed only in accordance with law and in compelling circumstances.

8. Considering the facts and circumstances of the case, without expressing any opinion on the merits, the Applicant-Jalun Ali alias Jainul Aabidin is directed to be released on anticipatory bail, in the event of his arrest, on furnishing a personal bond of ₹30,000/- and

two reliable sureties, each in the like amount, to the satisfaction of the Arresting Officer/ concerned Court, subject to the following conditions:

> *(i) The Applicant shall cooperate with the investigation and shall appear before the Investigating Officer or Trial Court as and when required;*
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> *(ii) The Applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;*
>
> *(iii) The Applicant shall not leave the country without prior permission of the Trial Court.*

9. It is clarified that if the Applicant misuses the liberty or violates any of the conditions imposed, the prosecution shall be at liberty to move an application for cancellation of anticipatory bail.

10. Accordingly, Anticipatory Bail Application No. 14 of 2026 stands disposed of.

(Ashish Naithani, J.)
Vacation Judge
14.01.2026

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