SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			UKHC010094162026 **BA1/973/2026** Dinesh Singh Mehta --Applicant **Versus** State Of Uttarakhand --Respondent **Hon'ble Alok Mahra, J.** Mr. Piyush Sammal and Ms. Sarita Bisht, Advocates for the applicant. 2. Mr. Deepak Bisht, D.A.G. for the State. 3. The applicant, who is in judicial custody in connection with FIR/Case Crime No. 0072 of 2025, under Sections 8/20 of NDPS Act, registered at P.S.- Kotwali Bageshwar, District Bageshwar, has sought his release on bail. 4. As per the prosecution case, applicant was arrested from the spot and 9.712 Kgs of alleged charas was recovered from the trolley bag (luggage), which was kept beside his driving seat. 5. Learned counsel for the applicant submits that applicant has falsely been implicated in the case inasmuch as the place from where the trolley bag was allegedly recovered have not been mentioned in the recovery memo; that as per the arrest memo, the grounds of arrest and the weight of the contraband has been left blank and furthermore no proper chain of sending the alleged contraband to the FSL has been proved by the prosecution, which would result in contamination of sample; that no compliance of Section 52-A has been made in letter and spirit; that the statements have subsequently been improved in the statements recorded under Section 180 of BNSS in which it was mentioned that the alleged luggage was

recovered from the seat adjacent to the driver.

6. Per contra, the learned State Counsel submits that a separate arrest memo was prepared, which explicitly noted that the applicant was arrested upon being found in possession of 9.712 Kgs of alleged charas; that furthermore the consent letter was written by the Head Constable at the dictation of the applicant; however, this does not amount to valid consent and, as such, does not constitute due compliance with Sections 50 and 52-A of the NDPS Act. Although the applicant has passed the 10th standard, he was allegedly unable to write at that time; thus, while the document was executed by the Head Constable, it bears the signature of the applicant and that since no contraband was recovered directly from the personal search of the applicant, the strict provisions of Section 50 of the NDPS Act are inapplicable to the present case. Finally, it is submitted that the alleged sample was forwarded to the Forensic Science Laboratory (FSL), and the resulting FSL report has returned positive.

7. Heard learned counsel for the parties and perused the records.

8. Considering the submission, as advanced by learned State Counsel and also considering the fact that alleged sample was forwarded to the FSL and the resulting FSL report has returned positive, this Court is of the view that there is no good ground to enlarge the applicant on bail and the present bail application deserves to be rejected.

9. The present bail application is rejected.

(Alok Mahra J.)

26.10.2026

Ujjwal