SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			BA1/1488/2026 Nandan Singh --Applicant **Versus** State Of Uttarakhand --Respondent **Hon'ble Alok Mahra, J.** Mr. Saurabh Kumar Pandey and Mr. Chandra Prakash, learned counsel for the applicant. 2. Mr. Chitrarth Kandpal, learned Brief Holder for the State. 3. Applicant-Nandan Singh, who is in judicial custody in connection with Case Crime/F.I.R. No. 34 of 2025 registered at Police Station-Pati, District Champawat for the offences punishable under Sections 8/20 of the Narcotic Drugs and Psychotropic Substances Act 1985, has sought his release on bail. 4. Heard learned counsel for the parties and perused the material available on record. 5. Learned counsel for the applicant would submit that, as per the prosecution case, during routine checking, the police conducted a search and allegedly recovered 1.500 kg. of charas from the possession of the applicant, on the basis of which the F.I.R. in question was registered against him.

			6. Learned counsel for the applicant would further submit that the applicant is innocent and has falsely been implicated in the present case and has not committed the alleged offence; that, the applicant was arrested on 26.12.2025 at about 15:15 hours, whereas the F.I.R. was registered at 23:57 hours on the same day, resulting in an unexplained delay of approximately eight hours, despite the fact that the police station is situated at a distance of hardly one kilometre from the place of occurrence. 7. He would further submit that the mandatory provisions of Sections 50, 52, 55 and 57 of the N.D.P.S. Act have not been duly complied with; that the alleged recovery of 1.500 kg. of charas is below the prescribed commercial quantity; that the applicant is aged about 55 years. He would also submit that there are material discrepancies in the weight of the alleged contraband, inasmuch as, at the time of drawing samples before the Court, the total weight of the contraband was recorded as 1.500 kg., which, after removing the polythene, was found to be 1.499 kg. However, after drawing two samples, the remaining quantity was recorded as 1.288 kg. Learned counsel would, therefore, contend that the discrepancies in the recorded weight of the alleged contraband create serious doubt regarding the prosecution case. 8. He would further submit that the applicant is languishing in judicial

			custody since 26.12.2025; that, there is no likelihood of his fleeing from justice or tampering with the prosecution evidence, as he is a permanent resident of District Nainital; that he has no previous criminal history; and that the trial is likely to take considerable time to reach its logical conclusion. On these grounds, learned counsel prays that the applicant may be enlarged on bail. 9. Per contra, learned State counsel would vehemently oppose the prayer for grant of bail. However, he does not dispute the fact that the applicant is in judicial custody since 29.12.2025. 10. Having considered the rival submissions advanced by learned counsel for the parties and upon perusal of the material available on record, this Court finds that the alleged quantity of charas recovered from the applicant is 1.500 kg., which is an intermediate quantity and falls below the prescribed commercial quantity. This Court has also taken into consideration the contentions raised on behalf of the applicant regarding the discrepancies in the recorded weight of the alleged contraband, the period of incarceration already undergone by him, the fact that he has no previous criminal history, and the likelihood of the trial taking considerable time to conclude. Having regard to the overall facts and circumstances of the case, this Court is of the considered view that the applicant has made out a case for grant of bail.

11. Accordingly, without expressing any opinion on the merits of the case, the bail application is allowed.

10. Let the applicant be released on bail, on his furnishing a personal bond and two reliable sureties, each in the like amount, to the satisfaction of the court concerned, subject to the following conditions:

(i) The applicant shall not, directly or indirectly, threaten, induce or influence any person acquainted with the facts of the case.

(ii) the applicant shall not tamper with the prosecution evidence or influence any witness.

(iii) the applicant shall cooperate with the investigation and trial and regularly appear before the Trial Court, unless exempted.

(v) the applicant shall not leave India without prior permission of the Court concerned.

(vi) They shall furnish their current residential addresses and mobile numbers to the Investigating Officer/Court concerned and promptly intimate any change therein.

11. In case of breach of any of the aforesaid conditions, the prosecution shall be at liberty to seek cancellation of bail granted to the applicant.

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Digitally signed by MAMTA RANI
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(Alok Mahra, J.)
23.11.2026