SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			BA1/1522/2026 Sagar Singh Rawat --Applicant **Versus** State Of Uttarakhand --Respondent **Hon'ble Alok Mahra, J.** Mr. Rajat Mittal, learned counsel for the applicant. 2. Mr. Akshay Latwal, learned A.G.A. for the State. 3. Applicant-Sagar Singh Rawat, who is in judicial custody in connection with F.I.R./Case Crime No. 0256 of 2026, registered under Sections 8/20/29/60 of the Narcotic Drugs and Psychotropic Substances Act, 1985, at Police Station Ramnagar, District Nainital, 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 intercepted a car and, upon search, recovered two bags containing a total of 27.120 kilograms of suspected ganja; that, on the basis of the said recovery, the F.I.R. has been

			lodged against the applicant. He would further submit that the applicant is innocent and has falsely been implicated in the present case; that, no contraband was recovered from the personal possession of the applicant, and the alleged recovery was effected from two bags found in the dickey of a vehicle; that the prosecution has failed to establish the applicant's conscious possession of the alleged contraband. 6. Learned counsel for the applicant would further submit that, in terms of Section 2(iii)(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985, the expression "ganja" refers to the flowering or fruiting tops of the cannabis plant, excluding the seeds and leaves when not accompanied by such tops, by whatever name they may be called or designated; that, the alleged recovery is only marginally above the commercial quantity. 7. He would also submit that, as per the prosecution case, the recovery memo and the arrest memo were prepared at the spot at 15:38 hours, whereas the F.I.R. was registered at 19:37 hours; however, both the aforesaid documents bear the F.I.R. number. Learned counsel would contend that the mention of the F.I.R. number in the recovery and arrest memos, despite the same having been prepared prior to the registration of the

			F.I.R., casts serious doubt on the genuineness of the alleged recovery. 8. Learned counsel for the applicant would further submit that the mandatory provisions of the N.D.P.S. Act have not been complied with; that the applicant is in judicial custody since 18.08.2026; that, the applicant has no criminal antecedents; and that the trial is not likely to conclude in the near future. He, therefore, submits that the applicant deserves to be enlarged on bail. 9. Per contra, learned State counsel would vehemently oppose the prayer for bail, however, he does not dispute that the applicant is in judicial custody since 18.08.2026 and the applicant has no criminal antecedents 10. Having considered the submissions advanced by learned counsel for the parties, the nature of the allegations, the circumstances surrounding the alleged recovery, the contentions regarding conscious possession, and the period of incarceration undergone by him, this Court is of the view that the applicant has made out a case for bail. 11. Accordingly, without expressing any opinion on the merits of the case, both the bail application is allowed on the following conditions:- (a) The applicant shall execute a personal bond and furnish two reliable

sureties in the like amount to the satisfaction of the trial court.

(b) The applicant shall not leave the country without prior permission of the court.

(c) The applicant shall appear before the investigating officer as and when required and cooperate with the investigation.

(d) The applicant shall not tamper with evidence or witnesses, either directly or indirectly and shall not indulge in any criminal activity while on bail.

(e) The applicant shall surrender his passport, if any, to the court or to the investigating agency, to preclude risk of absconding.

12. The bail granted to the applicant shall be liable to be cancelled in the event of any violation of the aforesaid conditions or if the applicant is found to have misused the liberty granted to him.

(Alok Mahra J.)
25.11.2026

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