SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			2026:UHC:9853

BA1/2181/2025

Khilaf Ram

--Applicant

Versus

State Of Uttarakhand

--Respondent

Hon'ble Pankaj Purohit, J.

Mr. Vikas Singh Yadav, learned Counsel for the applicant.

2. Mr. Bhaskar Chandra Joshi, learned AGA for the State is present.

3. Applicant, who is in custody in connection with FIR/Crime No.169 of 2025 for the offences u/s 8/20 of the NDPS Act, 1985 registered with P.S. Kichha, District Udham Singh Nagar, has sought his release on bail.

4. The applicant was intercepted by police party on 02.06.2025 at 100 meters ahead of Women's Degree College, Kichha. He was found carrying 2.960 kilograms of Charas in the bag carried by him on his shoulder; on the basis of said recovery, FIR was lodged against the applicant; he is under incarceration since 02.06.2025.

5. Learned Counsel for applicant vehemently argued that the inventory prepared at the spot was already bearing the FIR number; he further submitted that the FIR number was also mentioned in the G.D. Entry when the applicant was brought in police station with contraband. On this basis, the applicant doubts the prosecution story and submits that he is falsely implicated.

6. Per contra, learned State Counsel submits that the applicant was carrying almost thrice of non-commercial quantity. He further submits that the applicant is a habitual offender since he has been convicted and

sentenced in a matter of NDPS Act wherefor he was awarded 10 years' sentence; the appeal thereof is pending and during his release on bail, the alleged offence has been committed by the applicant.

7. It was further submitted by State Counsel that the argument advanced by learned Counsel for the applicant points out towards an immaterial fact since the FIR number was mentioned in the G.D. Report after the applicant was lodged in the police station and the FIR was written.

8. Having heard learned Counsel for the parties and having perused the record of the case, considering the fact that since the applicant is a previously convicted person and was nabbed carrying almost 3 Kgs. of Charas which is thrice of non-commercial quantity, the Court is of the opinion that the applicant does not deserve bail at this stage. The power of Section 37 NDPS Act is also attracted in the case of applicant since he is previously convicted.

9. The bail application is, accordingly, rejected.

(Pankaj Purohit, J.)
29.10.2026

R.Dang

RAJEEV DANG