SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			BA1/1695/2026 Ahatsham Ul Haq --Applicant **Versus** State Of Uttarakhand --Respondent **Hon'ble Alok Mahra, J.** Mr. S.R.S. Gill and Mr. Milind Raj, Advocate for the applicant. Mr. Akshay Latwal, A.G.A. for the State of Uttarakhand. 2. This first bail application has been moved by the applicant seeking regular bail in F.I.R./Case Crime No.148 of 2026, under Section 8/22 of N.D.P.S. Act, registered at Police Station Piran Kaliyar, District Haridwar. 3. The case of the prosecution, in brief, is that on the basis of secret information received by the police, a raid was conducted at the premises of the applicant, wherein 24 Tramadol capsules and 39 bottles of Codeine Syrup, each containing 100 ml., were allegedly recovered from his possession. It is alleged that the applicant failed to produce any valid licence or authority for possessing the aforesaid contraband substances. 4. Learned counsel for the applicant submits that the applicant has been falsely implicated in the present case and has been languishing in judicial custody since 01.07.2026. It is further contended

			that the weight of the 24 Tramadol capsules allegedly recovered from the possession of the applicant has not been mentioned either in the inventory report or in the arrest memo. Learned counsel further submits that the grounds of arrest have also not been mentioned in the arrest memo, which is in violation of the provisions of Section 52(1) of the N.D.P.S. Act. It is further argued that a bare perusal of the F.I.R. reveals that the inventory report and the arrest memo were allegedly prepared at the spot, whereas both the documents bear the F.I.R./Case Crime number, despite the fact that the F.I.R. had not been registered at the time of their purported preparation. Thus, the circumstances surrounding the preparation of these documents create serious doubt regarding the prosecution version. Learned counsel has placed reliance upon the judgment of the Hon'ble Supreme Court in Narcotics Control Bureau Vs. Kashif, reported in (2024) 11 SCC 372, and submits that procedural irregularities and non-compliance with the statutory provisions of the N.D.P.S. Act are relevant considerations while examining a prayer for bail, even in cases governed by the stringent conditions stipulated under Section 37 of the N.D.P.S. Act. It is further submitted that, in the event of being enlarged on bail, the applicant shall not misuse the liberty so granted and shall abide by all the conditions imposed by this Court. 5. Per contra, learned State Counsel has vehemently opposed the prayer for bail. 6. Having considered the submissions advanced by learned counsel for the parties and upon perusal of the material available on record, this Court finds that

			the applicant has been in judicial custody since 01.07.2026. It is noticeable that the weight of the Tramadol capsules allegedly recovered from the possession of the applicant has not been specified in the inventory report or the arrest memo. Further, as per the prosecution's own case, the inventory report and the arrest memo were prepared at the spot, whereas both the documents bear the F.I.R./Case Crime number. This circumstance raises an arguable question regarding the sequence and manner in which the aforesaid documents were prepared, which requires due scrutiny during trial. Further, the issue regarding non-mentioning of the grounds of arrest in the arrest memo, as raised by learned counsel for the applicant, also deserves consideration. 7. Having regard to the aforesaid circumstances, particularly the apparent discrepancies in the contemporaneous documents relating to the alleged recovery, the period of incarceration undergone by the applicant and the issues requiring examination during trial, this Court is of the prima facie view that the applicant has made out a case for grant of bail. 8. Accordingly, without expressing any opinion on the merits of the case, the bail application is allowed. 9. Let the applicant be released on bail, on executing personal bond and furnishing two reliable sureties, each of like amount, to the satisfaction of Court concerned, subject to the following conditions: (i) The applicant shall attend the trial Court regularly, and, he will not seek any unnecessary adjournment.

			(ii) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of this case. (iii) The applicant shall not leave India without any prior permission of the trial Court. 10. It is clarified that if the applicant misuses or violates any of the conditions, imposed upon him, the complainant/ informant will be free to move the court for cancellation of bail. **(Alok Mahra, J.)** 25.11.2026 Neha NEHA BISHT Digitally signed by NEHA BISHT DN: c=IN, o=HIGH COURT OF UTTARAKHAND, ou=HIGH COURT OF UTTARAKHAND, 2.5.4.20=6f1c15b6305912b3f008e9a4a8038ee7126b08b2d0e018b01be753f014836d27, postalCode=263001, st=UTTARAKHAND, serialNumber=3D89DC33779FB96770684527 2DB68A960BFE64D819EE44CA9CCE487B2FE0F92, cn=NEHA BISHT Date: 2026.11.25 18:33:53 +05'30'