SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			BA1/1979/2026 Vishal Saxena --Applicant **Versus** State Of Uttarakhand --Respondent **Hon'ble Alok Mahra, J.** Mr. Naveen Singh Bisht, learned counsel for the applicant. Mr. Dinesh Chauhan, learned A.G.A. for the State of Uttarakhand. 2. The present bail application has been filed by the applicant, who is in judicial custody in connection with FIR No. 218 of 2021, registered at Police Station Haldwani, District Nainital, for the offences punishable under Sections 8/22/60 of the Narcotic Drugs and Psychotropic Substances Act, 1985; Sections 3/7 of the Essential Commodities Act, 1955; Section 420 of the Indian Penal Code, 1860; Section 3A of the Prevention of Blackmarketing and Maintenance of Supplies of Essential Commodities Act, 1980; and Section 51B of the Disaster Management Act, 2005. 3. Heard learned counsel for the applicant and learned State Counsel and perused the material available on record. 4. As per the prosecution case, the applicant, who was employed by the co-accused, was allegedly selling oximeters to customers at prices higher than the maximum retail price (MRP). The oximeters were recovered from a car belonging to the co-accused, who was the owner of the medical shop. 5. Learned counsel for the applicant submits that the applicant has been falsely implicated in the present case. It is contended that, even as per the allegations made in the FIR, the applicant was merely an employee of the medical shop and had no role independent

			of that attributed to the co-accused, who was the owner of the shop. It is further submitted that the said co-accused, who was also the licence holder of the medical shop, has already been granted bail by a coordinate Bench of this Court. Learned counsel further submits that the prosecution has failed to demonstrate as to how the provisions of the Essential Commodities Act and the Prevention of Blackmarketing and Maintenance of Supplies of Essential Commodities Act are attracted in the facts and circumstances of the present case. 6. Per contra, learned State Counsel has opposed the prayer for grant of bail. 7. 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 applicant was merely an employee of the medical shop, whereas the co-accused, who was the owner as well as the licence holder of the said medical shop, has already been enlarged on bail by a coordinate Bench of this Court. In view of the aforesaid facts and circumstances, particularly the role attributed to the applicant and the fact that the owner of the medical shop has already been granted bail, this Court is of the considered 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, this Court is inclined to enlarge the applicant on bail. The bail application is, accordingly, allowed. 9. Let the applicant be released on bail on his executing a personal bond and furnishing two reliable sureties, each in the like amount, to the satisfaction of the Court concerned, subject to the following conditions: (i) The applicant shall regularly attend the proceedings before the learned Trial Court and shall 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 the case so as to dissuade such person from disclosing such facts to the Court or to any police officer. (iii) The applicant shall not leave the country without obtaining prior permission of the learned Trial Court. 10. It is clarified that, in the event of misuse of the liberty of bail or violation of any of the conditions imposed hereinabove, the complainant/informant shall be at liberty to move an appropriate application before the competent Court seeking cancellation of the applicant's bail. **(Alok Mahra, J.)** 19-11-2026 SB