2026:AHC:208135

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 35282 of 2026

Himraj Singsundar

.....Applicant(s)

Versus

Union of India

.....Opposite Party(s)

Counsel for Applicant(s) : Mayank Krishna Singh Chandel, Vivek Singh Chandel

Counsel for Opposite Party(s) : Dhananjay Awasthi

Court No. - 68

(Sr. No.48 out of 278)

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.

2. Heard Sri Mayank Krishna Singh Chandel, learned counsel for the applicant, Sri Gopi Krishna Sood, Advocate holding brief of Sri Dhananjay Awasthi, learned counsel for Union of India and perused the material placed on record.

3. Applicant seeks bail in Case Crime No.02/2025-2026, under Section 8/20/23 of The Narcotic Drugs And Psychotropic Substances Act, 1985, Police Station- L.B.S.I.A. (Custom), District Varanasi, during the pendency of trial.

4. As per the allegations of the FIR, in all, 25.239 kg. of ganja is said to have been recovered from the possession of the three accused persons, including the applicant.

5. Learned counsel for the applicant has argued that the applicant is absolutely innocent and has been falsely implicated in the present case with a view to causing unnecessary harassment and victimizing him. The contraband, if apportioned equally, shall fall within the category of commercial quantity. There has been no compliance with the mandatory provisions of the N.D.P.S. Act. There is no criminal history of the applicant. The applicant is languishing in jail since 09.03.2026. In case, the applicant is released on bail, he will not misuse the liberty of bail.

6. Learned counsel for Union of India has vehemently opposed the bail application.

7. Considering the facts and circumstances of the case, submissions made by learned counsel for the parties, the evidence on record, taking into consideration that there is no compliance with the mandatory provisions of Section 50 and 52-A of the N.D.P.S. Act, and without expressing any opinion on the merits of the case, *prima-facie* the Court is of the view that the applicant has made out a case for bail. The bail application is **allowed**.

8. Let the applicant- **Himraj Singsundar**, be released on bail in the aforementioned case crime on furnishing a personal bond and two sureties to the satisfaction of the court concerned, subject to verification of sureties, with the conditions that he shall not tamper with evidence or intimidate witnesses and shall appear before the trial court as required.

9. Breach of any condition shall entail cancellation of bail. The observations herein shall not affect the trial on merits.

(Krishan Pahal,J.)

October 5, 2026
(Ravi Kant)

Digitally signed by :-
RAVI KANT
High Court of Judicature at Allahabad