2026:AHC:209684

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 35756 of 2026

Shabbu

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s) : Rukme Alam, Rupesh Kumar Singh
Counsel for Opposite Party(s) : G.A.

Court No. - 68

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.

2. Heard Sri Rupesh Kumar Singh, learned counsel for the applicant, Sri Deepak Kumar Singh, learned A.G.A. for the State and perused the material placed on record.

3. Applicant seeks bail in Case Crime No.146 of 2026, under Section 8/20 of The Narcotic Drugs And Psychotropic Substances Act, 1985, Police Station-Nagfani, District Moradabad, during the pendency of trial.

4. 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 cause unnecessary harassment and to victimize him. A false recovery of 1.080 kg. of charas has been foisted on the applicant, which is below the commercial quantity. There is no report of the chemical analyst to corroborate the allegations that the alleged contraband is charas. There is no compliance of the mandatory provisions of Sections 50, 52-A and 57 of the N.D.P.S. Act. There is no criminal history of the applicant. The applicant is languishing in jail since 14.09.2026. In case, the applicant is released on bail, he will not misuse the liberty of bail.

5. Learned A.G.A. has vehemently opposed the bail application.

6. 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 Sections 50, 52-A and 57 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**.

7. Let the applicant- **Shabbu**, 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.

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

(Krishan Pahal,J.)

October 7, 2026
(Ravi Kant)

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