

HIGH COURT OF UTTARAKHAND AT NAINITAL

First Bail Application No. 1558 of 2022

Mohd. NaeemApplicant

Versus

State of UttarakhandRespondent

Present:-

Mr. Vikas Anand, Advocate for the applicant.

Mr. Lalit Miglani, A.G.A. with Ms. Sonika Khulbe, Brief Holder for the State.

Hon'ble Ravindra Maithani, J. (Oral)

Applicant Mohd. Naeem is in judicial custody in FIR No.159 of 2022, under Sections 8/21 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, "the Act"), Police Station Jaspur, District Udham Singh Nagar. He has sought his release on bail.

2. Heard learned counsel for the parties and perused the record.

3. According to the FIR, on 05.06.2022, 22.20 grams Smack was allegedly recovered from the applicant.

4. It is argued that there is no independent witness of the alleged recovery; there is no compliance of the provisions of the Act and the applicant is not a previous convict.

5. Learned State counsel would submit that as per bail rejection order, applicant is not a previous convict.

6. Having considered, this Court is of the view that it is a case fit for bail and the applicant deserves to be enlarged on bail.

7. The bail application is allowed.

8. Let the applicant be released on bail, on his executing a personal bond and furnishing two reliable sureties, each of the like amount, to the satisfaction of the court concerned.

(Ravindra Maithani, J.)
13.07.2022

Sanjay