

HIGH COURT OF UTTARANCHAL AT NAINITAL

Bail Application No. 718 of 2006

CRIMINAL SIDE

Vinod Chandra Dhawan s/o Late Puran Chandra
R/o Gram Vijay Nagar, House No. 9/33-A
P.S. Model Town, New Delhi- 9Accused/Applicant

Versus

State of Uttaranchal Opposite Party

Case Crime No. 2 of 2006
Under Section 20/22 N.D.P.S. Act
Patwari Area, Loharkhet, Bageshwar, District Bageshwar

Dated: 30.11.2006

By the Court

Hon'ble Rajesh Tandon J.

Heard Sri M.C. Kandpal, Sr. Advocate assisted by Sri Kurban Ali, Advocate for the applicant and the A.G.A. for the prosecution.

Accused applicant has applied for bail in case crime No.2 of 2006 under sections 20/22 of N.D.P.S. Act, Patwari Circle Loharkhet, District Bageshwar.

Counsel for the accused applicant has submitted that the Patwari has not complied the provisions of Section 50 of the N.D.P.S. Act while conducting the search and making arrest of the accused. No independent public witness has been procured

to attest the alleged recovery. It has also been submitted that the accused has no previous criminal history. The co-accused Lokpal Singh and Km. Anandi have already been released on bail in bail applications No.847 /2006 and 709/2006 respectively.

I have gone through the case diary made available by the A.G.A. Without expressing any opinion regarding the merit of the case, I think the accused applicant is entitled to bail.

Let the accused applicant be released on bail on his furnishing a personal bond and two sureties each of the like amount to the satisfaction of the Magistrate concerned.

Rajesh Tandon, J.

Dated: 30.11.2006

*Dhyani