

**IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL**

**ORIGINAL JURISDICTION**

**Criminal Bail Application No.95 of 2010**

Order on the Bail application of accused

**CRIMINAL SIDE**

Yogesh Sharma

**.....Applicant (In Jail)**

Versus

State of Uttarakhand

**----- Opposite party**

---

Arising out of Case Crime No.54 of 2009,  
U/s 8/20 of NDPS Act, P.S. Purola, Distt. Uttarakashi

**Dated: January 29, 2010**

**Hon'ble Dharam Veer, J.**

Heard Sri Kurban Ali, Adv. i/b Sri Niranjan Bhatt, Adv. for the applicant and Sri S.S. Adhikari, learned AGA for the State.

In brief the prosecution case is that on 25.12.2009 at about 2:40 P.M. about 500 grams of Charas was said to be recovered from the possession of the applicant/accused. Learned counsel for the applicant submitted that the commercial quantity of Charas is one kilogram while the Charas recovered from the possession of the present applicant is only 500 grams which is less than the commercial quantity. Lastly, he is in jail since 25.12.2009 and the trial has yet not been started and he has no criminal history before this case.

After considering all the facts and circumstances, without expressing any opinion about the final merits of the case, the Court is of the view that the present applicant deserves bail at this stage.

Let the applicant Yogesh Sharma be released on bail on his executing a personal bond and furnishing two sureties each in the like amount to the satisfaction of Special Judge, Narcotics Drugs & Psychotropic Substances Act, 1985, Distt. Uttarakashi.

The bail application is allowed accordingly.

**(Dharam Veer, J.)**  
**Vacation Judge**

**29.1.2010**  
Rajeev Dang

