

IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

ORIGINAL JURISDICTION

Criminal Bail Application No.105 of 2010

Order on the Bail application of accused

CRIMINAL SIDE

Bittu S/o Jai Singh

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

Versus

State of Uttarakhand

----- **Opposite party**

Arising out of Case Crime No.171 of 2009,
U/s 8/22 of NDPS Act, P.S. Bhagwanpur, Distt. Haridwar

Dated: January 29, 2010

Hon'ble Dharam Veer, J.

Heard Sri Ajay Veer Pundir, Adv. for the applicant and
Sri S.S. Adhikari, learned AGA for the State.

In brief the prosecution case is that on 14.12.2009 at about 4:50 P.M. about 500 grams of Charas in the form of 73 sticks 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 14.12.2009 and the trial has yet not been started.

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 Bittu 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. Haridwar.

The bail application is allowed accordingly.

(Dharam Veer, J.)
Vacation Judge

29.1.2010
Rajeev Dang

