

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

Dated Nainital the 27th January, 2011

First Bail Application No. 61 of 2011

Order on the bail application of the accused.

CRIMINAL SIDE

Rishipal,
S/o Mukanda,
R/o Mohalla Rampuri,
P.S. Kotwali Muzzfernagar,
District Muzzfernagar

...Applicant.

Versus

State of Uttarakhand

..... Opposite Party

In Case Crime No. 112/2010
U/s 8/15 of N.D.P.S. Act,
Police Station – Shyampur,
District Haridwar.

Mr. Niranjan Bhatt, Advocate present for the applicant.
Mr. Nandan Arya, AGA, present for the State.

27th January, 2011

Hon'ble V.K. Bist, J.

Heard Mr. Niranjan Bhatt, Advocate for the applicant and
Mr. Nandan Arya, AGA for the State.

Present application has been filed by the applicant for
being released on bail in Case Crime No. 112 of 2010 U/s 8/15
of N.D.P.S. Act registered at Police Station- Shyampur, District
Haridwar.

Perused the bail application supported by an affidavit as
well as relevant documents enclosed therewith.

The applicant has been charged under Section 8/15 of
N.D.P.S. Act. 37 Kg. "Doda" powder is alleged to have been
recovered from applicant Rishipal on 2.11.2010.

The main submission made by learned counsel for the
applicant is that the bail should be granted to the applicant
because the quantity of Doda powder, which is alleged to have
been recovered is less than the commercial quantity.

On the contrary, the bail has been opposed by learned A.G.A.

Having heard the parties' counsel and keeping in view the fact that the quantity of recovered Doda powder is less than the commercial quantity, hence, without expressing any opinion on merit, the applicant may be granted bail in this case.

Let the applicant Rishipal S/o Mukanda involved in Case Crime No. 112 of 2010, under Section 8/15 of N.D.P.S. Act, Police Station- Shyampur, District Haridwar be released on bail on his executing a personal bond and furnishing two sureties each in the like amount to the satisfaction of the Court concerned.

The instant Bail Application is allowed.

(V.K. Bist, J.)
Vacation Judge
27.1.2011