

Hon'ble U.C. Dhyani, J.

Mr. Lalit Sharma, Advocate for the applicant.

Mr. P.S. Saun, Dy.A.G. along with Ms. Mamta Joshi and Ms. Sangeeta Bhardwaj, Brief Holders for the State.

Applicant-Anil Bametha, who is in jail in connection with FIR no. 204 of 2016 under Section 8/20/43 of N.D.P.S. Act, registered at Police Station-Haldwani, District Nainital, has sought his release on bail.

Heard learned counsel for the parties, considered the grounds taken up in the bail application and perused the documents brought on record.

500 gms of *Charas* was allegedly recovered from the possession of the accused-applicant on 22.7.2016 and since then he is in jail. Applicant has no previous criminal history.

Learned counsel for the applicant submitted that many mandatory provisions of the NDPS Act have been observed by breach.

Learned counsel for the applicant submitted that applicant is ready to furnish reliable sureties to the satisfaction of Special Judge concerned, if he is granted bail.

Considering the facts and circumstances as also the grounds taken up in the bail application, the Court is of the opinion that the applicant should be enlarged on bail.

Bail application is allowed. Let the applicant be enlarged on bail on his executing a personal bond and furnishing two reliable sureties of the like amount to the satisfaction of the Special Judge concerned.

If at any point of time, it is found that the applicant is misusing the bail, the learned Special Judge shall be at liberty to cancel his bail in accordance with law.

(U.C. Dhyani, J.)

31.8.2016