

HIGH COURT OF UTTARAKHAND AT NAINITAL

First Bail Application No. 1881 of 2022

Alok KumarApplicant

Versus

State of UttarakhandRespondent

Present:-

Mr. Azmeen, Advocate for the applicant.

Mr. Lalit Miglani, A.G.A. with Ms. Sonika Khulbe, Brief Holder for the State.

Hon'ble Ravindra Maithani, J. (Oral)

Applicant Alok Kumar is in judicial custody in FIR No.0111 of 2021, under Sections 2/3 U.P. Gangsters and Anti-Social Activities (Prevention) Act, 1986, Police Station Jhankaiya, District- Udham Singh Nagar. He has sought his release on bail.

2. Heard learned counsel for the parties and perused the record.

3. According to the FIR, based on 2 criminal cases ((i)FIR No.55 of 2021, under Section 8/22 of the Narcotic Drugs and Psychotropic Substances Act, 1985, Section 60 of the U.P. Excise Act, 1910, Section 51B of the Disaster Management Act, 2005, Section 188/269/270 IPC and Section 3 of Epidemic Act, 1897 and (ii) FIR No.81 of

2021, under Sections 8/20/60 of the Narcotic Drugs and Psychotropic Substances Act, 1985), the instant FIR has been lodged against the applicant.

4. It is argued by learned counsel for the applicant that the applicant has not committed any offence; in the cases, on the basis of which the instant case has been registered, the applicant has already been enlarged on bail; he is not a previous convict.

5. Learned State Counsel would submit that the applicant is a habitual offender.

6. Having considered, this Court is of the view that it is a case fit for bail and the applicant deserves to be enlarged on bail.

7. The bail application is allowed.

8. Let the applicant be released on bail, on his executing a personal bond and furnishing two reliable sureties, each of the like amount, to the satisfaction of the court concerned.

(Ravindra Maithani, J.)
31.08.2022