

HIGH COURT OF UTTARAKHAND AT NAINITAL

First Bail Application No. 2371 of 2022

Guchhchan KhaApplicant

Versus

State of UttarakhandRespondent

Present:-

Mr. Harshpal Sekhon, Advocate for the applicant.

Mr. Lalit Miglani, A.G.A. for the State.

Hon'ble Ravindra Maithani, J. (Oral)

Applicant Guchhchan Kha is in judicial custody in FIR No.112 of 2022, under Sections 8/18 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, "the Act"), Police Station Dineshpur, 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 prosecution case, on 17.07.2022, 230 gram opium was allegedly recovered from the possession of the applicant.

4. It is the case of the applicant that applicant is not a previous convict; there has been no compliance of the provisions of the Act; the allegedly recovered quantity is non-commercial; co-accused have already been enlarged on bail.

5. These facts are admitted by the learned State counsel.

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.)
31.10.2022

Sanjay