

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

**THE HON'BLE SRI JUSTICE ALOK KUMAR VERMA**

**30<sup>TH</sup> JUNE, 2023**

**FIRST BAIL APPLICATION NO. 1506 of 2023**

Between:

Virju Singh alias Birju .....Applicant

and

State of Uttarakhand. ...Respondent

Counsel for the Applicant : Ms. Anju Mehta, Advocate.

Counsel for the State : Mr. Pramod Tiwari, Brief  
Holder for the State.

**Hon'ble Alok Kumar Verma,J.**

Present Bail Application has been filed for grant of regular bail in connection with the First Information Report No.75 of 2023, registered at police station Kelakhera, District Udham Singh Nagar under Section 8/20 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (in short, "Act, 1985").

2. As per the allegations of the First Information Report, 200 grams of charas was recovered from the possession of the present applicant.

3. Heard Ms. Anju Mehta, learned counsel for applicant and Mr. Pramod Tiwari, learned Brief Holder for the State.

4. Ms. Anju Mehta, Advocate has submitted that the applicant has been implicated in this matter; nothing was recovered from his possession; the provisions of the Act, 1985 have not been followed; applicant is in custody since 01.06.2023;

he is a permanent resident of District Udham Singh Nagar and he has no criminal history.

5. On the other hand, learned counsel for the State has opposed the bail application.

6. As per Table prepared under Section 2 (xxiii-a) and Section 2 (vii-a) of the said Act, 1985, lesser than 100 grams of charas is small quantity and greater than 01 Kilogram of charas is commercial quantity (Entry No.23).

7. Having considered the submissions of learned counsel for both the parties and in the facts and circumstances of the case, there is no reason to keep the applicant behind the bars for an indefinite period, therefore, without expressing any opinion as to the merit of the case, this Court is of the view that the applicant deserves bail at this stage.

8. The Bail Application is allowed.

9. Let the applicant – Virju Singh alias Birju be released on bail on his executing a personal bond and furnishing two reliable sureties, each in the like amount, to the satisfaction of the court concerned.

Dated 30.06.2023  
JKJ/Pant

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**ALOK KUMAR VERMA, J.**