

SL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
	31.01.2024		<p>BA1 No. 132 of 2024  <b><u>Sri Rakesh Thapliyal, J.</u></b></p> <ol style="list-style-type: none"> <li>Mr. Sanjay Bhatt, learned counsel for the applicant.</li> <li>Mr. V.K. Gemini, learned Deputy Advocate General assisted by Mr. Sachin Sharma, learned Brief Holder for the State- respondent.</li> <li>The present applicant is seeking bail in relation to FIR No.07 of 2024, for the offences punishable under Section 8/20 of the Narcotic Drugs and Psychotropic Substance Act, 1985, P.S. Kathgodam, District Nainital.</li> <li>Learned counsel for the applicant submits that the applicant has been implicated for alleged recovery of 314 gram <i>Charas</i>, which is below the commercial quantity. He further submits that there is no compliance of Sections 42 and 50 of the NDPS Act. He further submits that the present applicant is languishing in jail since 08.01.2024. However, the investigation is still going on, and the charge-sheet has not been filed.</li> <li>On instructions, Mr. Gemini, learned Deputy Advocate General, submits that the applicant was also implicated in FIR No.287 of 2021 for the offence punishable under Section 376, 452, 504 and 506 IPC.</li> <li>In reference to this, learned counsel for the applicant submits that in respect of the aforesaid case, the present applicant was in live-in-relationship with the complainant, and the bail was granted by the Trial Court.</li> <li>Mr. Gemini, learned Deputy Advocate General fairly submits that there is no other pending case against the present applicant in respect of the NDPS Act, 1985.</li> <li>Without expressing any opinion on the merits of the case, this Court is of the view that it is a fit case for grant</li> </ol>

			<p>of bail.</p> <p>9. The bail application is allowed.</p> <p>10. Let the applicant Vijay Joshi@ Vicky Joshi be released on bail on his executing a person bond and furnishing two reliable sureties of the like amount to the satisfaction of the court concerned with the following conditions:</p> <p><i>i) Applicant shall attend the Trial Court regularly and he shall not seek any unnecessary adjournment.</i></p> <p><i>ii) Applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of this case.</i></p> <p><i>iii) Applicant shall not leave the country without previous permission of the Trial Court.</i></p> <p><i>iv) In case the applicant is found to be involved in future in any other similar case, or misuses or violates any of the conditions imposed on him while granting bail, the prosecution is free to move an application for cancellation of bail.</i></p> <p><b>(Rakesh Thapliyal, J.)</b> <b>Vacation Judge</b> <b>31.01.2024</b></p> <p>NISHANT</p>
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