

HIGH COURT OF UTTARAKHAND AT NAINITAL

First Bail Application No.1453 of 2024

Kalu Chauhan alias SameerApplicant

Versus

State of UttarakhandRespondent

Present:-

Mr. Saurabh Adhikari, Advocate for the applicant.
Mr. Virendra Singh Rawat, AGA for the State.

Hon'ble Ravindra Maithani, J. (Oral)

The applicant is in judicial custody in FIR/Case Crime No.234 of 2024, dated 12.06.2024, under Sections 8/20 of The Narcotic Drugs And Psychotropic Substances Act, 1985 ("the Act"), Police Station Haldwani, District Nainital. He has sought his release on bail.

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

3. According to the FIR on 12.06.2024, 764 Grams *Charas* was allegedly recovered from the possession of the applicant.

4. It is the case of the applicant that the allegedly recovered quantity is less than commercial; it is a case of

non-compliance of the mandatory provisions of the Act and the applicant is not a previous convict.

5. Learned State counsel would submit that the bail rejection order does not reveal that the applicant is a previous convict.

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.)
31.07.2024

Sanjay