

HIGH COURT OF UTTARAKHAND AT NAINITAL

First Bail Application No. 1657 of 2024

Pramod @ SonuApplicant

Versus

State of UttarakhandRespondent

Present:-

Mr. Gaurav Singh, Advocate for the applicant through video conferencing.

Mr. Pankaj Joshi, AGA for the State.

First Bail Application No. 1769 of 2024

Ashish @ MontuApplicant

Versus

State of UttarakhandRespondent

Present:-

Mr. Narendra Bali, Advocate for the applicant.

Mr. Pankaj Joshi, AGA for the State.

Hon'ble Ravindra Maithani, J. (Oral)

Since both these bail applications arise from one and the same FIR, they are heard together and being decided by this common order.

2. Applicants Pramod *alias* Sonu and Ashish *alias* Montu are in judicial custody in FIR/Case Crime No. 580 of 2024, under Section 8/20 of the Narcotic Drugs and Psychotropic Substances Act, 1985, Police Station Kotwali Nagar, District Haridwar. They have sought their release on bail.

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

4. According to the FIR, on 20.07.2024, from the possession of the applicant Pramod *alias* Sonu 22.650 kgs. *Ganja* and from the possession of the accused Ashish *alias* Montu 22.850 kgs. *Ganja* was recovered.

5. Learned counsel for the applicants would submit that according to the prosecution, the inventory report was prepared at the spot and thereafter the case was lodged, but it is argued that the inventory report bears the FIR number and the general diary entry of the police station records that the inventory report was deposited at the time of lodging of the FIR. It is argued that the FIR was lodged much after the alleged recovery and it is not possible to record the FIR number prior to lodging of the FIR, at the time of alleged recovery.

6. The Court wanted to know from the learned State Counsel as to how could the inventory report bear the FIR number, which was prepared at the spot much prior to lodging of the FIR? Learned State Counsel would submit that it was recorded in the inventory report later on.

7. On being asked, the learned State Counsel admits that there is no general diary entry to the effect that the FIR number was recorded in the inventory report subsequent to lodging of the FIR.

8. Having considered, this Court is of the view that it is a case fit for bail and the applicants deserve to be enlarged on bail.

9. The bail applications are allowed.

10. Let the applicants be released on bail, on their executing a personal bond and furnishing two reliable sureties, each of the like amount, by each one of them, to the satisfaction of the court concerned.

(Ravindra Maithani, J)
31.12.2024

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