

SL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
			<p>BA1 No. 103 of 2025</p> <p><u>Hon'ble Rakesh Thapliyal, J.</u></p> <ol style="list-style-type: none"> 1. Mr. Lalit Sharma, learned counsel for the applicant and Mr. G.S. Sandhu, learned Additional Advocate General alongwith Mr. Akshay Latwal, learned Brief Holder for the State. 2. Heard on bail application. 3. The present applicant Kheemanand Palariya is seeking bail in relation to FIR No. 01 of 2025 registered with Police Station Kathgodam, District Nainital, for the offence punishable under Sections 8, 20 and 60 of N.D.P.S. Act, 1985. 4. Learned counsel for the applicant submits that there is no independent witness and furthermore there is no compliance of Section 50 of the NDPS Act and the alleged contraband, which was shown to be recovered from the present applicant is 275 grams of <i>charas</i>, which is much below the commercial quantity, which itself is reflected from the order passed by the trial court rejecting the bail application of the applicant. It is further submitted that the applicant have no previous criminal history. 5. On the other side, Mr. G.S. Sandhu, learned Additional Advocate General have not disputed this fact that the alleged contraband

			<p>shown to be recovered from the applicant is below the commercial quantity and applicant have no previous criminal history.</p> <p>6. After hearing the arguments of learned counsel for the parties and further taking into consideration that the alleged contraband, which was shown to be recovered from the present applicant is much below the commercial quantity, therefore, without expressing any opinion on the merit of the case, this Court is of the view that the applicant deserves to be enlarged on bail.</p> <p>7. Accordingly, the bail application is allowed.</p> <p>8. Let the applicant – “Kheemanand Palariya” be released on bail on his executing a personal bond and furnishing two reliable sureties of the like amount to the satisfaction of the court concerned.</p> <p style="text-align: right;">(Rakesh Thapliyal, J.) (Vacation Judge) 28.01.2025</p> <p>Ujjwal</p>
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