

**In the Court of Pankaj Sharma, Special Judge Hamirpur,
Himachal Pradesh.**

Case Type	Bail Application.
Filing No.	1419/2026.
Filing date	20.07.2026.
Registration No.	185/2026.
CNR No. HPHA	010023782026.
Date of decision	24.07.2026.

Shubham Thakur Aged 19 years, son of Sh.Raj Kumar, resident of Village Khala, Post Office Daruhi, Tehsil and District Hamirpur, Himachal Pradesh.

...Bail applicant.

-Versus-

State of HP through Public Prosecutor, Hamirpur, (HP).

.... Respondent.

Bail application under section 483 of BNSS in FIR No.174, dated 16.06.2026 U/s 20, 29 of NDPS Act, Police Station Sadar, District Hamirpur, Himachal Pradesh.

For the Applicant: : Sh.Rajesh Heer, Advocate.
For the Respondent : Sh.Sandeep Agnihotri, learned PP.

ORDER

This order shall dispose of an application under Section 483 of BNSS filed by the applicant for grant of bail.

2. It is asserted by the applicant that the applicant is falsely implicated in false and frivolous FIR no.174 dated 16.06.2026 under Sections 20 & 29 of NDPS Act, PS Sadar, Hamirpur and is at present in judicial custody for the last more than 1 month. It will take time to conclude trial and no purpose will be solved by keeping the accused in judicial custody. With these submissions, applicant has prayed to allow the application.

3. The state has filed detailed reply opposing the bail application of the applicant giving all the details. As per the reply, on 16-06-2026, during a traffic checking operation near Aghyar, Hamirpur, police noticed two young men sitting beside the road.

On noticing the police, they threw their cigarettes and appeared nervous. They identified themselves as Aniket Sharma (23 years) and Shubham Thakur (19 years). After following the required legal procedure and conducting a search in the presence of independent witnesses, the police recovered 154 grams of charas (cannabis resin) from Aniket Sharma's backpack. The contraband was seized, sealed and all necessary legal formalities under the NDPS Act were completed. Both accused stated that they had brought the Charas from Village Kheeri for personal use. The investigation was later on handed over to SI Nirmala Devi, who completed the documentation, site inspection, arrests, medical examination and deposition of the seized material. The sample was sent to the State Forensic Science Laboratory Junga, Shimla, where testing confirmed that the seized substance was Charas (Cannabis). The prosecution states that the accused is involved in drug-related activities and it has been argued that granting bail may allow him to continue drug trafficking and negatively affect society, especially young people. Therefore, the investigating officer has requested the court to reject the bail application.

4. On the other hand, learned counsel for the applicant has argued that investigation in the case is complete and no purpose would be served by keeping him in custody. It is also submitted that the Narcotic Substance in question is 154 grams of Charas, which is an intermediate quantity and as such application may be allowed.

5. I have heard learned Counsel for the applicant and learned PP and have gone through the record.

6. As per settled law, the bail is rule and jail is an exception. Considering the quantity of Charas (Cannabis) recovered from the applicant, which is less than commercial quantity, the present case is found to be a fit case to grant bail to the applicant. In view of the above, the bail application is hereby allowed subject to the furnishing personal and surety

bond by the applicant in the sum of **Rs.50,000/- with one surety in the like amount to the satisfaction of learned CJM/any Magistrate stationed at Hamirpur** subject to the following conditions: -

- (i) applicant shall appear on every date of trial hereinafter;
- (ii) applicant shall neither involve himself nor shall abet the commission of any offence hereinafter. Involvement in any offence whatsoever or abetting thereof shall entail automatic cancellation of bail granted in terms of this order;
- (iii) applicant shall disclose his functional E-Mail Ids/Whatsapp number and that of his surety to this Court;
- (iv) applicant after release, shall report to the investigating officer or SHO of Police Station concerned, on 2nd Sunday of every month at 8AM, only for having an update on good conduct and behaviour.
- (v) applicant shall not jump over the bail and also shall not leave the country without the prior permission of this Court;
- (vi) applicant shall not tamper with the evidence in any manner;
- (vii) applicant shall not cause any inducement, threat or promise (directly or indirectly) to witnesses or any other person acquainted with the case;

7. It is made clear that prosecution shall be at liberty to move the cancellation of bail, if the applicant is found violating any of the aforesaid conditions. Release order be prepared accordingly.

8. The observations are limited to the disposal of this bail application and shall not affect the merits of the case. The bail application is disposed of and be tagged with the concerned FIR.

Signed and announced in Open Court today on 24th day of July, 2026.

(Pankaj Sharma)
Special Judge, Hamirpur,
Himachal Pradesh.

/skd/