


SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	<p style="text-align: right;">COURT'S OR JUDGE'S ORDERS</p>  <p style="text-align: right;">2026:UHC:2673</p>
			<p><u>BA 1st No.03 of 2026</u> "Ashish Kumar Vs. State of Uttarakhand" <u>Hon'ble Ashish Naithani, J.</u></p> <p>Mr. Akhil Kumar Sah, learned counsel for the Applicant.</p> <p>2. Mr. N.S. Kanyal, learned AGA, for the State of Uttarakhand.</p> <p>3. In the High Court of Uttarakhand, the present case arises from Bail Application filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, seeking regular bail for the Applicant – Ashish Kumar, who has been accused in FIR No.66 of 2025, under Sections 8/22/29/60 of Narcotic Drugs and Psychotropic Substances Act, at Police Station Clement Town, District Dehradun.</p> <p>4. As per the FIR, which was lodged by the Complainant with an averments that on 25.08.2025, around 03:24 PM while the Complainant along with his other companions were patrolling, they saw a person riding a two wheeler towards them carrying a white coloured bag and on seeing the Police officials the said person stopped the vehicle and tried to flee the scene, on seeing this, the Police on the basis of suspicion stopped him and then interrogated the said person and search the bag in which capsules of Spas Med Acetaminophen Tramadol HCL and Dicyclomine Capsules were found. He further submits that the Applicant has falsely been implicated in the present crime and made scapegoat. He further submits that the mandatory provisions of Section 50, 52, 56 and 57 of the NDPS Act has not been complied with. The Applicant is an authorized medical store owner and is having pharmacists licence. A certificate to this effect has also been annexed as Annexure No.2. The Applicant was not informed on the ground of arrest at the time</p>

of arrest. It is further submitted by the learned counsel for the Applicant that the contraband recovered from the Applicant is less than the commercial quantity. The Applicant is languishing in jail since 25.08.2025 and has no previous criminal antecedents.

5. The Bail application of the Applicant has been objected by the learned State Counsel on the ground that the Police team found commercial quantity of prohibited medicines and also unable to produce any valid license of the same on spot. It is further submitted that during the search/seizure proceedings, the Police has fully complied all the necessary provisions as laid down under the NDPS Act. The grounds and reason of arrest is communicated to the Applicant at the time of arrest. Learned State Counsel further submits that the Applicant is a habitual offender having one more criminal antecedent of 25/4 of the Arms Act at Police Station Clementown Dehradun, have been registered.

6. Considering the overall facts and circumstances of the case, the Applicant has made out a case for bail.

7. Accordingly, bail application is allowed. It is directed that the Applicant - Ashish Kumar, who has been accused in FIR No.66 of 2025, under Sections 8/22/29/60 of Narcotic Drugs and Psychotropic Substances Act, at Police Station Clement Town, District Dehradun, be released on bail on furnishing a personal bond with two reliable sureties each in the like amount to the satisfaction of the concerned court. The Applicant shall cooperate with the trial proceedings and shall not misuse the liberty granted to him.

(Ashish Naithani, J.)

15.04.2026

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