


SL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	<div style="text-align: right;"> <small>COURT'S OR JUDGES'S</small>    <small>2026:UHC:3868</small> </div>
			<p><b><u>BA1 No. 817 of 2026</u></b>  Sanjay Gupta <span style="float: right;">....Applicant</span></p> <p style="text-align: center;">Vs.</p> <p>State of Uttarakhand <span style="float: right;">.....Respondent</span></p> <p><b><u>Hon'ble Ashish Naithani, J.</u></b></p> <p>Mr. Rishabh Bisht, learned counsel holding brief of Mr. Vikas Kumar Guglani, learned counsel for the Applicant.</p> <p>2. Mr. Vikash Uniyal, learned A.G.A. for the State of Uttarakhand.</p> <p>3. The present Bail Application has been moved by the Applicant—Sanjay Gupta, S/o Shri Jagdish Gupta, R/o Ward No. 04, Dudhianagar Canal Colony, Police Station Rudrapur, District Udham Singh Nagar, who is in judicial custody in connection with FIR No. 449 of 2025, registered at Police Station Rudrapur, District Udham Singh Nagar, for offences punishable under Sections 8/20/29 of the N.D.P.S. Act, 1985.</p> <p>4. Heard learned counsel for the parties and perused the record.</p> <p>5. Learned counsel for the Applicant, while pressing the bail application, submitted that the Applicant has been falsely implicated in the present case and is in judicial custody since 20.04.2026. It is further contended that no specific role has been assigned to the Applicant in the aforesaid FIR and no recovery has been made from his possession. It is also submitted that the Applicant was not named in the FIR and the alleged contraband, namely <i>ganja</i>, was recovered from a car allegedly being driven by co-accused Sushil Kumar Sahani. Therefore, the present Applicant has no connection whatsoever with the said vehicle from which the contraband was allegedly recovered. Learned counsel for the Applicant further submitted that the Applicant has not committed any offence alleged</p>

in the FIR and whatever recovery has been shown by the prosecution is from the main accused, namely Sushil Kumar Sahani, who has already been granted bail by this Court vide order dated 07.04.2026. It is thus contended that the case of the present Applicant stands on parity with the said co-accused.

6. Per contra, learned State Counsel opposed the bail application, however, admitted the fact that the main accused has already been granted bail and that the present case is a case of parity.

7. After hearing learned counsel for the parties and upon perusal of the material available on record, this Court finds that no recovery has been made from the possession of the present Applicant and the co-accused from whom the alleged recovery was effected has already been enlarged on bail. Considering the overall facts and circumstances of the case, and without expressing any opinion on the merits of the case, this Court is of the view that the Applicant has been able to make out a fit case for grant of bail.

8. Accordingly, the Bail Application is allowed.

9. Let the Applicant be released on bail upon furnishing a personal bond and two reliable sureties, each in the like amount, to the satisfaction of the court concerned.

10. It is made clear that any observation made hereinabove is only for the purpose of adjudication of the present bail application and shall not be construed as an expression on the merits of the case.

11. All pending applications, if any, shall stand disposed of.

**(Ashish Naithani, J.)**

19.05.2026

Shiksha

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