



2026:AHC:66748

**HIGH COURT OF JUDICATURE AT ALLAHABAD**

**CRIMINAL MISC. BAIL APPLICATION No. - 1648 of 2026**

Gaurav

.....Applicant(s)

Versus

State of U.P.

.....Opposite  
Party(s)

---

|                               |   |              |
|-------------------------------|---|--------------|
| Counsel for Applicant(s)      | : | Girish Singh |
| Counsel for Opposite Party(s) | : | G.A.         |

---

**Court No. - 69**

**HON'BLE JITENDRA KUMAR SINHA, J.**

1. Heard Shri Girish Singh, learned counsel for the applicant, and Shri Chandra Shekhar Saran, learned AGA for the State-respondents and perused the record.

2. The present bail application under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, has been filed on behalf of applicant Gaurav with a prayer to release him on bail in Case Crime No. 919 of 2025 under Section 8/20 of N.D.P.S. Act, registered at Police Station Civil Lines, District Moradabad during pendency of the trial.

3. It has been submitted by learned counsel for the applicant that the applicant is innocent and has been falsely implicated in this case due to ulterior motive. It is further submitted that 1129 grams of charas is alleged to have been recovered from the possession of the applicant. It is also submitted that the mandatory provisions pertaining to search and seizure have not been complied with, inasmuch as the requirements of Sections 50 and 52-A of the Narcotic Drugs and Psychotropic Substances Act, 1985 have been violated. The applicant is languishing in jail since 2.12.2025, undertakes that he will not misuse the liberty, if granted. It has also been pointed out that in the wake of heavy pendency of cases in the Court, there is no likelihood of any early conclusion of trial. The applicant has a criminal history of two cases and the same has been duly explained in the application.

4. Per contra learned A.G.A. has opposed the prayer for bail of the

applicant and submitted that 1129 grms of charas is said to have been recovered from the possession of the applicant.

5. As per first information report, 1129 grams of charas is alleged to have been recovered from the possession of the applicant, It is also submitted that the mandatory provisions pertaining to search and seizure have not been complied with, inasmuch as the requirements of Sections 50 and 52-A of the Narcotic Drugs and Psychotropic Substances Act, 1985 have been violated. The applicant is languishing in jail since 6.2.2026.

6. Upon considering the totality of facts, nature and the evidence reflected from record and without expressing any opinion on merits of the case, I find it to be a fit case for bail. Hence, the present bail application is allowed.

7. Let applicant-Gaurav involved in the aforesaid case crime shall be released on bail on his furnishing a personal bond of Rs. 50,000/- with two sureties each in the like amount to the satisfaction of the Court concerned :-

(i) The applicant shall not directly or indirectly make any inducement, threat, or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer or tamper with the evidence.

(ii) The applicant shall not pressurize/intimidate the prosecution witnesses.

(iii) The applicant shall remain present, in person, before the trial court on the dates fixed for (i) opening of the case, (ii) framing of charge and (iii) recording of statement under Section 351 of B.N.S.S.

(iv) The applicant shall file an undertaking to the effect that he shall not seek any adjournment on the dates fixed for evidence when the witnesses are present in the trial court.

(v) The applicant shall remain present before the trial court on each date fixed, either personally or through his counsel.

8. In case of breach of any of the above conditions, it shall be a ground for

cancellation of bail.

9. It is clarified that anything said in this order is limited to the purpose of determination of this bail application and will in no way be construed as an expression on the merits of the case. The trial court shall be absolutely free to arrive at its independent conclusions on the basis of evidence led unaffected by anything said in this order.

**(Jitendra Kumar Sinha,J.)**

**March 30, 2026**

Sumaira