

SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS UKHC010058152026  2026:UHC:5934
			<u>UKHC010058152026</u> <u>BA2/52/2026</u> Ripul Chauhan --Applicant Versus State of Uttarakhand --Respondent <u>Hon'ble Rakesh Thapliyal, J.</u> Mr. Karan Singh Dugtal, learned counsel for the applicant. 2. Mr. B.C. Joshi, learned AGA, for the State of Uttarakhand. 3. The bail application has been moved by the present applicant - Ripul Chauhan S/o Rakshpal Singh, is praying for bail in reference to FIR dated 16.12.2025 bearing FIR No.0507 of 2025, Police Station Kashipur, District Udham Singh Nagar, wherein, the applicant has been implicated for the offences punishable under Sections 29 of the NDPS Act read with Sections 3 (5), 318 (4), 338, 336 (3) and 340 (2) of BNS. 4. It is argued by the learned counsel for the applicant that the applicant is innocent and has been falsely implicated and in fact he is the proprietor of the medical store in the name of "Vatsal Medical Store" and granted licence under the Drugs and Cosmetics Act, 1940 which is valid up to 14.02.2030. He submits that the alleged contraband which is shown to be recovered is completely false because there is an invoice of the recovered contraband, which is annexed at Annexure no.6, which has not been denied. He further submits that the chargesheet has already been filed and there is no need of further custodial interrogation, and he also pointed out that the present applicant is languishing in jail since 23.12.2025. About the criminal antecedents, he submits that there is one case i.e. FIR No.323 of 2025, which was registered after the present FIR in a different Police Station i.e. P.S. ITI,

		and in another case i.e. FIR No.477 of 2025, he was made an accused for the offence punishable under Section 29 of the NDPS Act, wherein, he has already been enlarged on bail, and in this particular case also, the main accused from whom the recovery was shown has been enlarged on bail by the coordinate Bench on 13.05.2026 in Bail Application No.461 of 2026, "Deepak Thakur Vs. State of Uttarakhand". He submits that the alleged prohibited drug, which is shown to be recovered is commercial one, therefore, the rider of Section 37 of the Act, will come into way and in reference to this, he submits that the earlier case of similar nature, the applicant is already enlarged on bail, in which, he was an accused of Section 29 of the Act. He further submits that in the present case the inventory was prepared but it was not certified in the manner as provided under Rule 8 of Narcotics Drugs and Psychotropic Substances (Seizure, Storage, Sampling and Disposal), Rules, 2022, and this aspect can be looked into while considering the bail application. 5. On the other side, learned AGA submits that the chargesheet has already been filed and he has not disputed that the other co-accused has been enlarged on bail. He has also not disputed that the another case which was registered at Police Station ITI, was registered after this FIR. With regard to the inventory, he has also not disputed that the Magistrate concerned certified the inventory by putting an endorsement of "seal". He also submits that with regard to the financial status, the investigation is being carried out as per the mandate of Section 68 of the NDPS Act. 6. After hearing the submissions of the learned counsel for the parties, and in view of the discussion as above, this Court is of the view that the applicant deserves for bail since the applicant is languishing in jail since 23.12.2025, and the chargesheet has been filed and the twin conditions as stipulated under Section 37 of the Act can be dispensed with when the co-accused has been enlarged on bail. 7. In such view of the matter, and without expressing any opinion on the merits of the case, the bail application is allowed. 8. Let the applicant - "Ripul Chauhan", be
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			released on bail, on his executing a personal bond and furnishing two reliable sureties, each of the like amount to the satisfaction of the Court concerned, subject to the following conditions:- “(a) The applicant after being released on bail shall join the trial court proceedings on each and every date without seeking any unnecessary adjournment. (b) The applicant shall not indulge in any such activities in future. (b) The applicant shall cooperate with the ongoing investigation as per mandate of Section 68 of the NDPS Act.” (Rakesh Thapliyal, J.) 16.07.2026 Nitesh/
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