

**ORDER SHEET  
IN THE HIGH COURT OF SINDH, CIRCUIT COURT,  
HYDERABAD**

Cr.Bail.Appl.No.S- 995 of 2022

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<b>DATE</b>	<b>ORDER WITH SIGNATURE OF JUDGE</b>
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17.10.2022

Mr. Atta Muhammad Shaikh, Advocate for the applicant.  
Ms. Sana Memon, A.P.G for State.

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Through this bail application, applicant Hyder Ali seeks post arrest bail in Crime No.93 of 2022, registered at P.S. Sinjhoru for offence u/s 4, 8 of Sindh Prohibition of Preparation Manufacturing, Storage, Sale and Use of Gutka & Mainpuri Act, 2019.

Heard arguments and perused the record.

Admittedly, the maximum punishment, provided by the Statute for the offences with which the applicant stands charged is three years, hence same do not fall within the prohibitory clause of Section 497 Cr.P.C. Whereas as regard the vicarious liability of the commission of offence, it would be decided by the trial Court after recording of evidence. At this juncture, prima facie case of further inquiry makes out within the meaning of Sub-Section 2 to Section 497 Cr.P.C. Accordingly, instant Criminal Bail Application is hereby allowed. The Applicant shall be released on bail subject to his furnishing solvent surety in the sum of Rs.50,000/- (Rupees Fifty Thousand) and P.R Bond in the like amount to the satisfaction of the trial Court.

It need not to iterate that the observation made hereinabove is tentative in nature and shall not prejudice the case of either party during trial. However, the learned trial Court may proceed against the applicant, if he will be found misusing the concession of bail.

This Criminal Bail Application is disposed of in the manner indicated above.

JUDGE

Tufail