

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
Cr. Bail Application No.549 of 2019

DATE ORDER WITH SIGNATURE(S) OF JUDGE(S)

For hearing of bail application _____

10.05.2019

Mr. Ashraf Ali Shah, advocate for the applicant.
Ms. Rahat Ahsan, Addl. P.G.

-.-.-.-.-

1. Through this IInd bail application, applicant/accused seeks bail after arrest in **FIR No.17/2018**, under **Section 6/9-C**, CNS Act, **1997** registered at police station Madina Colony, Karachi. Earlier the applicant/accused approached the Special Court-II (C.N.S) Karachi for post arrest bail, which was declined vide order dated **09.04.2019**. Thereafter, the applicant approached this Court for grant of post arrest bail.

2. Since direction given on **7.6.2018** has been violated in a very crude manner and no justification is advanced for not completing the evidence within time. In the last order on **07.6.2018** on the previous bail application I had specifically pointed out that there has been unnecessarily delay of more than two months' time in filing challan and the trial Court was directed to seek written explanation of the concerned police official, who has failed to file challan under Section 173 Cr.P.C within stipulated time and if plausible justification has not provided by the police official the trial Court should has taken action against the police official concerned. No such report is ever furnished.

3. In view of the above, the accused / applicant is admitted to bail subject to furnishing solvent surety in the sum of **Rs.50,000/-** and P.R

bond in the like amount to the satisfaction of the trial Court. Irrespective of the fact that whatever was the amount of charras recovered as shown in the FIR. The whole case appears to be setup, in view of the manner in which the prosecution is taking place. The learned Prosecutor has no face to contest the matter; she says that diaries are not available with her she could read out.

4. Needless to mention here that the observations made hereinabove are tentative in nature and would not influence the trial Court while deciding the case of the applicant/accused on merits.

JUDGE

SM