

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

Cr.B.A.No.S-694 of 2019

DATE	ORDER WITH SIGNATURE OF JUDGE
	For orders on office objection. For hearing of main case.

05.08.2018.

Mr. Yawar Abbas Mughal, Advocate for applicant.
None present for A.N.F.

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Irshad Ali Shah J;- It is alleged that the applicant was found transporting/ possessing 130 kg of charas through his car, for that he was booked in the present case.

2. The applicant on having been refused post arrest bail by learned Sessions Judge/Special Judge, (CNS), Jamshoro has sought for the same from this court by way of instant application u/s 497 Cr.P.C.

3. It is contended by learned counsel for the applicant that the applicant being innocent has been involved in this case falsely by the police; the applicant is juvenile offender, the applicant was having no driving license at the time of incident and police has failed to ascertain the ownership of contraband charas and the car. By contending so, he sought for release of the applicant on bail on the point of further inquiry.

4. None has appeared on behalf of A.N.F to pursue the instant bail application.

5. I have considered the above arguments and perused the record.
6. As per the prosecution`s case, the applicant was found driving the car, wherein was found lying 130 kg of charas by the police. In that situation, it would be premature to say that the applicant being innocent has been involved falsely by the police. The applicant may be a juvenile officer, but for this reason he could hardly be admitted to bail in case like the present one which is affecting the society at large. The driving is skill license to drive a car is a legal requirement. If for the sake of arguments, it is believed that the applicant was having no driving license at the time of incident then it does not mean that he at the time of incident was not found driving the car. If the police has failed to ascertain ownership of the car then such omission it could hardly benefit the applicant. The applicant has been found to be in possession of the charas lying in car as such he has to answer such liability, same could hardly be shifted to anyone else under any pretext. There appear reasonable grounds to believe that the applicant is guilty of the offence with which he is charged.
7. In view of the facts and reasons discussed above, it could be concluded that the applicant is not found entitled to be released on bail. Consequently, the instant application is dismissed.

JUDGE.