

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

Cr.B.A.No.S-788 of 2019

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

09.08.2019.

Mr. Basheer Ahmed Almani, Advocate for  
applicants.

Ms. Safa Hisbani, A.P.G.

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**Irshad Ali Shah J:-** It is alleged that the applicants were found transporting/ possessing 05 kg of charas through their car, for that they were booked in the present case.

2. The applicants on having been refused post arrest bail by learned Sessions Judge/Special Judge, (CNS), Shaheed Benazirabad have 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 applicants that the applicants being innocent have been involved in this case falsely by the police by making foistation of charas upon them; the applicants have nothing to do with the Car and investigation of the case is over. By contending so, he sought

for release of the applicants on bail on the point of further inquiry.

4. Learned A.P.G for the State has opposed to grant of bail to the applicants by contending that the offence which the applicants have allegedly committed is affecting the society at large.

5. I have considered the above arguments and perused the record.

6. The applicants are named in FIR with specific allegation that they were found in possession of the Car, wherein was found lying 05 kg of charas by the police. In that situation, it would be premature to say that the applicants being innocent have been involved in this case falsely by the police. Nothing has been brought on record which may suggest that the police was having reason to implicate the applicants in this case falsely by making foistation of huge quantity of charas upon them. The applicants may not be the owners of the car wherein the charas was found lying by the police but this fact alone is not enough to admit the applicants to bail as the applicants have to discharge the liability of the contains lying in the car which was found to be in their possession at the

time of incident. It is true that the investigation of the case is over but this fact too is not enough to admit the applicants to bail in case like the present one which is affecting the society at large. There appear reasonable grounds to believe that the applicants are guilty of the offence with which they have been charged.

7. In view of the facts and reasons discussed above, it could be concluded that the applicants are not found entitled to be released on bail. Consequently, the instant application is dismissed.

JUDGE.