

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

Cr.B.A.No.S-790 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
applicant.

Ms. Safa Hisbani, A.P.G.

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Irshad Ali Shah J:- It is alleged that the applicant was found transporting/ possessing 4900 grams 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), Shaheed Benazirabad 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 by making foistation of charas upon him; the applicant has nothing to do with the Car and investigation

of the case is over. By contending so, he sought for release of the applicant on bail on the point of further inquiry.

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

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

6. The applicant is named in FIR with specific allegation that he was found in possession of the Car, wherein was found lying 4900 grams of charas by the police. In that situation, it would be premature to say that the applicant being innocent has 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 applicant in this case falsely by making foistation of huge quantity of charas upon him. The applicant may not be the owner of the car wherein the charas was found lying by the police but this fact alone is not enough to admit the applicant to bail as the applicant has to discharge the liability of the contains lying in the car which was found to be in his 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 applicant to bail in case like the present one which is affecting the society at large. There appear reasonable grounds to believe that the applicant is guilty of the offence with which he has been 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.