

IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD
Criminal Bail Application No.S-1146 of 2020

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

12.01.2021.

Mr. Muhammad Nouman, Advocate for applicant.
Ms. Sobia Bhatti, A.P.G for State.

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ORDER

Irshad Ali Shah J:- It is alleged that on arrest from the applicant was secured 2000 grams of charas beside an unlicensed pistol by police party of P.S Qazi Ahmed led by Inspector Muhammad Saleem Mughal, for that the present case was registered.

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

3. It is contended by learned counsel for the applicant that the applicant was taken by police from his house at Karachi, he was kept confined illegally and then was involved in this case falsely by the police, on filing of petition for his release from wrongful confinement before Hon'ble High Court of Sindh at Karachi; there is no independent witness to the incident and the case property has been subjected to chemical examination with delay of about eight days. 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 release of the applicant on bail 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. There is no independent witness to the incident and the case property has been subjected to chemical examination with delay of about eight days; the applicant is said to be in custody of the police prior to his actual involvement in this case. Be that as it may, the case has finally been challenged and there is no apprehension of tempering with the evidence on the part of applicant and the applicant is in custody for more than four months without effective progress in trial. In these circumstances, a case for release of the applicant on bail on point of further inquiry obviously is made out.

7. In view of above, the applicant is admitted to bail subject to his furnishing surety in sum of Rs.50,000/-and PR bond in the like amount to the satisfaction of learned trial Court.

8. The instant application is disposed of accordingly.

JUDGE

Ahmed/Pa,