

**IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD**  
Criminal Bail Application No.S-1147 of 2020

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

**20.01.2021.**

Mr. Muhammad Sharif Siyal, 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 2200 grams of charas by police party of P.S B.Section Shaheed Benazirabad led by SIP Ali Mardan Lund, 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 and then was involved in this case falsely by the police; there is no independent witness to the incident; the report of chemical examiner is still awaited and applicant is in custody since three months. By contending so, he sought for release of the applicant on bail on the point of further inquiry. In support of his contention he relied upon case of *Makhdoom Sajjad vs The State*

*(SBLR 2014 Sindh 1514), Asghar Ali vs The State(2018 MLD 129) and Ali Nawaz vs The State (SBLR 2015 Sindh 232).*

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 though the complainant was having advanced information about the incident, which appears to be significant; the report of chemical examiner as per charge sheet is still awaited. 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,*