

IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD
Criminal Bail Application No.S-1127 of 2020

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

19.01.2021.

Mr. Abdul Majeed Magsi, 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 by police party of PS Tando Muhammad Khan led by SIP Qurban Ali, for that he was booked and reported upon.

2. The applicant on having been refused post arrest bail by learned Sessions Judge/Special Judge (CNSA) Tando Muhammad Khan 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 being innocent has been involved in this case falsely by the police; there is no independent witness to the incident and applicant is in custody since three months, therefore, the applicant is entitled to be released on bail on point of further inquiry.

4. Learned A.P.G for the State has opposed to release of the applicant on bail by contending that he is habitual offender.

5. In rebuttal, it is stated by learned counsel for the applicant that in none of the case so pending against the applicant he has been convicted.

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

7. The applicant is named in FIR with specific allegation that on arrest from him has been secured 2000 grams of the charas by police. The police party apparently was having no reason to involve the applicant in a false case, who is appearing to be habitual offender. No doubt there is no independent witness to the incident, but there could be made no denial to the fact that the police officials are as good witnesses as others and there appears no justification to disbelieve them at this stage. The offence is affecting the society at large. There appear reasonable grounds to believe that the applicant is guilty of the offence with which he is charged. No case for grant of bail to the applicant is made out. Consequently, the instant bail application is dismissed with direction to learned trial Court to dispose of the very case of the applicant within three months positively.

JUDGE

Ahmed/Pa,