

**IN THE HIGH COURT OF SINDH, CIRCUIT COURT,
HYDERABAD**

Criminal Bail Application No.S-1059 of 2020

DATE

ORDER WITH SIGNATURE OF JUDGE

For hearing of main case.

21.01.2021.

Mr. Riaz Ali Panhwar, 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 2010 grams of charas by police party of P.S Gupchani led by SIP Zakir Hussain, 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 being innocent has been involved in this case falsely by the police and there is no independent witness to the incident and case property has been subjected to chemical examination with the delay of about seven. 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 committed is affecting the society at large.

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

6. There is no independent witness though the police party was having advance information for the incident. The case property has been subjected to chemical examination with delay of about seven days. The investigation of the case is over. There is no apprehension of tempering with the evidence on part of the applicant. The applicant is in custody for about four months. In these circumstances, a case for grant of bail to applicant 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,