

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD.
Cr.B.A.No.S- 1261 of 2019

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

20.12.2019.

Mr. Chetan S.Kella, advocate for applicant.
Ms. Rameshan Oad, A.P.G for the State.

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Irshad Ali Shah J;- The applicant is alleged to be found in possession of Gutka an injurious / poisonous substance intending to spread infection / disease likely to be dangerous / poisonous to human lives, for that he was booked and reported upon by the police.

2. The applicant on having been refused post arrest bail by learned 2nd Additional Sessions Judge, Badin 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 was denied bail by learned trial Court without lawful justification. By contending so, he sought for release of the applicant on bail on point of further enquiry.

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

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

6. All the penal sections applied in case are bailable, except one under section 337-J PPC, applicability whereof requires determination at trial. There is no independent witness to the incident. Only 05 sachets (puris) have been subjected to chemical examination. the case has finally been challaned and there is no apprehension of tempering with the evidence on the part of applicant as all the witnesses are police personals. In these circumstances, a case for release of the applicant on bail on point of further enquiry pending trial, obviously is made out.

7. In view of above, the applicant is admitted to bail subject to his furnishing solvent surety in the sum Rs.30,000/-(rupees thirty thousand) and PR bond in the like amount, to the satisfaction of the learned trial Court.

8. The instant bail application is disposed of accordingly.

JUDGE

Ahmed/Pa,