

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

Criminal Bail Application No.S-130 of 2021

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

12.03.2021

Mrs. Samreen Khaskheli, Advocate for the applicant.
Mr. Shahid Ahmed Shaikh, D.P.G for State.

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ORDER

Irshad Ali Shah J:- On arrest from the applicant has been secured 3005 grams of Chars by police party of P.S. Tando Muhammad Khan led by SIP Muhammad Ismail, for that he was booked and reported upon.

2. The applicant on having been refused post arrest bail by learned Special Judge (CNS) Tando Muhammad Khan has sought for the same from this court by way of instant bail application under section 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 the applicant is in custody since three months, therefore, he is entitled to be released on bail on point of further inquiry.

4. Learned D.P.G for the State has opposed to release of the applicant on bail by contending that he is hardened criminal of the

area and is involved atleast in 25 cases. In support of his contention, he relied upon the case of *Muhammad Noman Munir Vs. The State and another* [2020 SCMR 1257].

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

6. The name of the applicant is appearing in the FIR with specific allegation that he was found in possession of 3005 grams of Chars with remote chance of its foistation. In that situation, it would be premature to say that the applicant being innocent has been involved in this case falsely by the police. Nothing has been brought on record by the applicant, which may suggest his false involvement in this case at the hands of the police. The police officials are as good witnesses as others. The applicant may be in custody for about three months but this fact alone is not enough to enlarge him on bail in case like the present one. 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 against the applicant within three months positively.

JUDGE

*Muhammad Danish Steno**