

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

Criminal Bail Application No.S-514 of 2021

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

12.07.2021.

Mr. Altaf Hussain Chandio, Advocate for the applicant.
Ms. Sana Memon, A.P.G for the State.

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Irshad Ali Shah J:- It is alleged that the applicant was found in possession of huge quantity of 'beetle nuts' duly packed in sacks, which is said to be substance injurious / poisonous to human lives, for that the present case was registered against him.

2. The applicant on having been refused post arrest bail by learned 3rd Additional Sessions Judge/MCTC, Shaheed Benazir Abad, 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 being innocent has been involved in this case falsely by the police; there is no independent witness to the incident and the property has been subjected to chemical examination with delay of about 05 days. 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 recorded no objection to release of the applicant on bail.

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

6. There is no independent witness to the incident. The property has been subjected to chemical examination with delay of about five days. Surprisingly, entire property has not been subjected to chemical examination. The offence alleged against the applicant is not falling within prohibitory clause of section 497(2) Cr.P.C. The case has finally been challaned and there is no apprehension of tempering with the evidence on part of the applicant. In these circumstances a case for release of the applicants on bail on point of further enquiry obviously is made out.

7. In view of above, the applicants are admitted to bail subject to his furnishing solvent surety in the sum Rs.50,000/- and PR bonds in the like amount, to the satisfaction of the learned trial Court.

8. The instant bail application is disposed of accordingly.

JUDGE

Muhammad Danish Steno*