

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

Criminal Bail Application No.S-499 of 2021

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

02.08.2021

Mr. Hameedullah Dahri, Advocate for the applicant.

Ms. Sana Memon, A.P.G for State.

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Irshad Ali Shah J.- It is alleged that on arrest from the applicant has been secured 1480 grams of Charas, by police party of P.S Talhi District Umerkot, which was led by SIP Ashok Kumar for that he was booked and reported upon by the police.

2. On having been refused post-arrest bail by Sessions Judge Umerkot, the applicant has sought for the same from this Court by way of instant application under section 497 Cr.PC.

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; the case property has been subjected to chemical examination with considerable delay and report of chemical examiner is still awaited, therefore, the applicant is entitled to his release on bail on point of further enquiry. In support of his contention, he relied upon the case of *Asghar Ali Vs. The STATE [2018 MLD 129]*.

4. Learned A.P.G has opposed to release of the applicant on bail by contending that the offence which he allegedly 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 to the incident. The report of the chemical examiner is still waited. There is no apprehension of tampering with the evidence on the part of the applicant as all the witnesses are police officials. The applicant is said to be in custody for more than two months without effective progress in his trial. In these circumstances, a case for grant of bail to the 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 the sum of Rs.50,000/- and P.R bond in the like amount to the satisfaction of learned trial Court.

8. The instant bail application is disposed of accordingly.

JUDGE

Muhammad Danish Steno.