

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

Criminal Bail Application No.S-145 of 2022

DATE	ORDER WITH SIGNATURE OF JUDGE
	For hearing of main case.

15.04.2022

Syed Zulfiqar Ali Shah, Advocate for the applicants.
Mr. Ali Muhammad Noonari, Deputy Prosecutor General, Sindh for State.

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Irshad Ali Shah J:- It is alleged that the applicants were found in possession/transporting through their vehicle huge quantity of *Gutka* and *Mainpuri* a substance injurious / poisonous to human lives, for that the present case was registered.

2. The applicants on having been refused post arrest bail by learned Additional Sessions Judge, Matiari have 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 applicants that the applicants being innocent have been involved in this case falsely by the police; offence alleged against the applicants is not falling within prohibitory clause and they are in custody for more than two months. By contending so, he sought for release of the applicants on bail on point of further enquiry.

4. Learned A.P.G. for the State has opposed to release of applicants on bail by contending that the offence alleged against the applicants is affecting the society at large.

5. Heard arguments and perused the record.

6. There is no independent witness to the incident. Only one packet containing contraband substance has been subjected to chemical examination. The offence

alleged against the applicants is not falling within prohibitory clause. The case has finally been challenged. There is no apprehension of tampering with the evidence on the part of applicants and they are said to be in custody for more than two months without effective progress in trial. 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 their furnishing solvent surety in the sum Rs.50,000/- each 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*