

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

Criminal Bail Application No.S-274 of 2022

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

15.04.2022

Mr. Muhammad Yaseen Laghari, Advocate for applicant.

Mr. Ali Muhammad Noonari, Deputy Prosecutor General Sindh.

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Irshad Ali Shah J:- The applicant was found in possession of 1015 grams of Charas. On refusal of bail by learned Special Judge for (CNS) Tando Allahyar has sought for the same from this court by way of instant application u/s 497 Cr.P.C.

2. It is contended by learned counsel for the applicant that the applicant being innocent has been involved in this case falsely by the police and there is no independent witness to the incident and it is a border line case, therefore, the applicant is entitled to be released on bail on point of further inquiry which is opposed by learned Deputy Prosecutor General, Sindh for the State by contending that the offence which the applicant has committed is affecting the society at large.

3. Heard arguments and perused the record.

4. There is no independent witness to the incident. It is border line case between section 9(b) and section 9(C) of CNS Act, 1997. The case has finally been challenged and there is no apprehension of tampering with the evidence on part of the applicant, who is said to be in custody

since two months without effective progress in trial. In these circumstances, a case for release of the applicant on bail on point of further inquiry obviously is made out; consequently the applicant is admitted to bail subject to furnishing surety in sum of Rs.50,000/-and PR bond in the like amount to the satisfaction of learned trial Court.

5. The instant bail application is disposed of accordingly.

JUDGE

Muhammad Danish*