

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

Criminal Bail Application No.S-232 of 2022

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

28.03.2022.

Mr. Mashooque Ali Bhurgri, Advocate for applicant.

Ms. Safa Hisbani, A.P.G for the State.

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Irshad Ali Shah J;- It is alleged that the applicant was found to be transporting through his vehicle 15 sacks containing 82500 sachets of Safina Gutkas a substance injurious / poisonous to human lives, for that the present case was registered.

2. The applicant on having been refused post arrest bail by learned 2nd Additional Sessions Judge, Badin 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; offence alleged against the applicant is not falling within prohibitory clause and he is in custody since four months. 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 opposed to release of applicant on bail by contending that the offence alleged against the applicant is affecting the society at large.

5. Heard arguments and perused the record.
6. There is no independent witness to the incident. Only 110 sachets of the Safina Gutka have been subjected to chemical examination. The offence alleged against the applicant is not falling within prohibitory clause. The case has finally been challenged and there is no apprehension of tampering with the evidence on the part of 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 applicant is admitted to bail subject to his furnishing solvent surety in the sum Rs.50,000/- and PR bond in the like amount, to the satisfaction of the learned trial Court.
8. The instant bail application is disposed of accordingly.

JUDGE

Muhammad Danish*