

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

Criminal Bail Application No.S-244 of 2022

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

01.04.2022

Mr. Ghulamullah Chang, Advocate for applicant.

Ms. Safa Hisbani, Assistant Prosecutor General Sindh.

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Irshad Ali Shah J:- It is alleged that on arrest from the applicant was secured 1210 grams of Charas by police party of P.S Hosri led by SIP Imamuddin Rahopoto, for that the present case was registered.

2. The applicant on having been refused post arrest bail by learned Model Criminal Trial Court-I/Special Judge (CNS) Hyderabad 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 and there is no independent witness to the incident. By contending so, he sought for release of the applicant on bail on the point of further inquiry.

4. Learned A.P.G for the State has opposed to release of the applicant on bail by contending that the offence which the applicant has allegedly committed is affecting the society at large.

5. Heard arguments and perused the record.

6. 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. It has finally been challenged and there is no apprehension of tampering with the evidence on part of the applicant. In these circumstances, a case for release of the applicant on bail 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 sum of Rs.50,000/-and PR bond in the like amount to the satisfaction of learned trial Court.

8. The instant application is disposed of accordingly.

JUDGE

*Muhammad Danish**