ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
Crl. Bail Application No. 529 of 2021.

Date

Order with signature of Judge

For hearing of bail application.

31st May 2021

Ms. Uzma Rafiq, advocate for applicant/accused.

Mr. Siraj Ali Khan Chandio, Addl. P.G. Sindh.

Through instant bail application, applicant Abu Bakar son of Muhammad Yousuf seeks post arrest bail in Crime No.79/2021 registered at Police Station Ibrahim Hyderi, under Section 6/9-C CNS Act.

Precisely relevant facts are that on 27.02.2021 on a tip-off, police party of P.S. Ibrahim Hyderi, apprehended the Applicant and recovered Cannabis (Charas) of 1500 Grams from his possession and from personal search one Mobile phone Nokia black and cash Rs.1100 were also recovered.

At the outset, learned counsel for the applicant while relying upon case laws reported as SBLR 2016 Sindh 29 and 2016 SCMR 1424 contends that applicant is not habitual offender, he has been implicated in a case of 1500 grams charas, which is in fact foisted upon him; police officials despite spy information failed to join any independent witness.

Learned Additional Prosecutor General Sindh opposed this bail application on the ground that huge quantity of contraband narcotics has been effected from the applicant; the offence with which the applicant is charged is against the society; that no enmity or ill-will has been pointed out against the police officials by the defence counsel, therefore, he prayed for dismissal of the instant bail application.

Admittedly alleged recovery is effected from thickly populated area but not any private witness has been associated, hence, this aspect requires further probe. Besides, applicant is not involved in any other criminal case except this crime, hence, applicant is admitted to post arrest

bail in the sum of Rs.50,000/- and P.R. Bond in the like amount to the satisfaction of the trial court.

Needless to mention that observations are tentative in nature and will not prejudice to the case of either party.

JUDGE

Sajid