

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

Criminal Bail Application No.S-487 of 2023

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

01.06.2023

Ms. Rameshan Oad, Assistant Prosecutor General, Sindh.

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O R D E R

AMJAD ALI SAHITO, J:-Through this criminal bail application, the applicant is seeking his post-arrest bail in Crime No.75 of 2023 registered under section 8 of the Sindh Prohibition of Preparation Manufacturing Storage Sale and Use of Gutka and Mainpuri Act 2019, at P.S. Matli District Badin, after his bail plea was declined by the learned Additional Sessions Judge, Matli vide order dated 20.04.2023.

2. The details and particulars of the F.I.R. are already available in the bail application and crime report, same could be gathered from the copy of F.I.R. attached with such application, hence needs not to reproduce the same hereunder.

3. None present for the applicant. No intimation received. Learned Assistant Prosecutor General, Sindh submits that including this case present applicant is also involved in seven other similar cases, as such, opposed for grant of bail to the applicant / accused.

4. I have heard learned counsel for parties having also gone through material available on record.

5. Admittedly, the applicant was arrested on the spot with one white sack in the presence of witnesses and after opening the same found 300 mainpuries therein. It has been pointed out by learned APG that present applicant was also involved in seven other similar type of cases including this one. The plea of false implication taken in the grounds of bail application by the applicant cannot be decided at this stage until and unless evidence is recorded before the learned Trial Court, as such, the applicant/accused has failed to make out case for grant of post-arrest bail in view of subsection (2) of section 497 Cr.P.C, resultantly the instant bail application is dismissed. However, the learned Trial Court is directed to expedite the matter and conclude the same preferably within shortest possible time after receipt of copy of this order and to submit such compliance report.

6. Needless to mention here that the observations made hereinabove are tentative in nature would not influence the learned Trial Court while deciding the case of either party at trial.

JUDGE

Muhammad Danish