

**ORDER SHEET**

IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR

Crl. Bail Application No.S-662 of 2023

(Abdul Hafeez Sanghar Vs. The State)

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For hearing of Bail Application.

**16-11-2023.**

M/s. Ubedullah Ghoto and Naemuddin Chachar, advocates for the applicant.  
Mr. Dareshani Ali Hyder "Ada", Deputy Attorney General, Pakistan.  
Mr. Munir Ahmed Siyal, Assistant Direct Legal FIA Sukkur.

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**Irshad Ali Shah, J.** It is alleged that the applicant has been found involved in unauthorized sale/purchase of the foreign currency in contravention of the provision FERA Amendment Act, for that he was booked and reported upon by the FIA police

2. On having been refused post arrest bail by learned Ist Additional Sessions Judge (MCTC-I), Sukkur; the applicant has sought for the same from this Court by way of instant Crl. Bail Application u/s 497 Cr.P.C.

3. It is contended by learned counsel for the applicant that applicant being innocent and infirm person has been involved in this case falsely by the FIA police and the offence alleged against him is not falling within prohibitory clause; therefore, he is entitled to be released on bail on point of further inquiry. In support of his contention he relied upon cases of *Azeem Khan and another Vs. The State (2023 YLR 1447)* and *Shahzad Vs. The State and another (2023 SCMR 679)*.

4. Learned DAG has opposed to release of the applicant bail by contending that the forensic report fully implicate him with the commission of incident.

5. Heard arguments and perused the record.

6. There is no independent witness to the incident. No foreign currency was secured from the applicant; he is said to be infirm person. The offence alleged against the applicant is not falling within the prohibitory clause. The interim charge sheet of the case has already been submitted before the Court having jurisdiction. There is no likelihood of absconsion or tempering with the evidence on part of the applicant. In these circumstance; a case for release of the applicant on bail, on point of further inquiry obviously is made out.

5. In view of above the applicant is admitted to bail subject to his furnishing solvent surety in sum of Rs.200,000/- (Two lacs) and P.R bond in the like amount to the satisfaction of learned trial Court.

6. The instant bail application is disposed of accordingly.

J U D G E