

ORDER SHEET
IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR
 CrI. Bail Application No.S-770 of 2023
(Shahid Shah Vs. The State)

1. For Orders on office objection.
2. For Orders on MA No. 6670/2023
3. For hearing of bail application.

ORDER.

05-12-2023.

Mr. Khan Muhammad Sangi, advocate for the applicant.
 Mr. Shafi Muhammad Mahar, Deputy P.G for the State.

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Irshad Ali Shah J:- It is alleged that the applicant was found transporting huge quantity of Gutka and Main Puri, a substance injurious to human life, for that he was booked and reported upon by the police.

2. On having been refused post arrest bail by learned IInd Judicial Magistrate Pano Aqil and learned Additional Sessions Judge, Pano Aqil, the applicant has sought for the same from this Court by way of instant Bail Application u/s 497 Cr.P.C.

3. Heard arguments and perused the record.

4. There is no independent witness to the incident; the entire property has not been subject to Chemical Examination; whatever property has been subjected to Chemical Examination is sent to the Chemical examiner with delay of about 10 days to its recovery. The offence alleged against the applicant is not falling within prohibitory clause of section 497 (2) Cr.P.C. The case has finally been challaned and there is no apprehension of absconsion or tempering with the evidence on the part of applicant. In these circumstances a case for release of the applicant on bail on point of further enquiry obviously is made out.

5. In view of above, the applicant is admitted to bail subject to furnishing solvent surety in the sum Rs.50,000/- and PR bond in the like amount, to the satisfaction of the learned trial Court.

6. The instant bail application is disposed of accordingly.

JUDGE

Nasimy/P.A.