

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

Criminal Bail Application No.S-638 & 705 of 2024

DATE ORDER WITH SIGNATURE OF JUDGE

26.08.2024

M/s Abdul Majeed Lashari and Abdul Rasheed Abro advocates for applicants in both the bail applications.

Ms. Rameshan Oad, A.P.G.

ZULFIQAR ALI SANGI, J.- Through these bail applications the applicants seek pre-arrest bail in Crime No.97/2024 registered at P.S. Matli U/s 9(C) CNS Amended Act.

2. The allegations against the present applicants is that they while seeing the police party escaped away while throwing shoppers, each shopper containing 1100 grams chars.

3. It is contended by the parties that the accused namely Shah Faisal and Abdul Rehman who were arrested at the spot and recovery of 1200/1200 grams charas was effected from them have been granted bail by this court vide order dated 13.08.2024 passed in Criminal Bail Application No.S-835/2024, therefore, applicants on the rule of consistency are liable to be benefited.

4. Learned APG after going through the order dated 13.08.2024 passed in Criminal Bail Application No.S-835/2024 has conceded for confirmation of interim pre-arrest bail.

5. Since the accused who were arrested at the spot and recovery of 1200/1200 grams of charas was effected from them have been granted bail by this court and no recovery has been effected from the physical possession of the applicants. however, the allegation of throwing the contraband material is yet to be determined by the trial court after recording evidence, at this stage, the applicants are entitled for confirmation of bail.

6. Under such circumstances, both the bail applications are allowed and the interim pre-arrest bails already granted to the applicants vide orders dated 13.06.2024 and 03.07.2024 are confirmed on the same terms and conditions.

Ali Haider

JUDGE