

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
Criminal Bail Application No. 483 of 2024
(Abdul Wasay versus The State)

Date	Order with signature of Judges
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For hearing of bail application

23.04.2024

Mr. Ghulam Rasool Rind, advocate for the applicant
Mr. Abrar Ali Khichi, Addl. PG for the State

It is alleged that the applicant with rest of the culprits was found transporting 432 packets duly packed in 10 sacks of Gutka/Mava through their car, a substance injurious to human lives, for that the present case was registered.

2. The applicants on having been refused pre-arrest bail by learned XII- Additional Sessions Judge Karachi West has sought for the same from this Court by way of instant Bail Application u/s 498 Cr.P.C.

3. Heard arguments and perused the record.

4. There is no independent witness to the incident. Only five sachets have been subjected to chemical examination, therefore, the liability of the applicant, if any, would be to that extent. The name of the applicant is not appearing in the FIR. 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. The applicant has joined the trial and there is no allegation of misusing of the concession of interim pre-arrest bail on his part. In these circumstances a case for grant of pre-arrest bail to the applicant on point of malafide and further enquiry obviously is made out.

5. In view of above, the interim pre-arrest bail already granted to the applicant is confirmed on the same terms and conditions.

6. The instant criminal bail application is disposed of accordingly.

J U D G E