

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
Criminal Bail Application No. 684 of 2024
(Waqas v. The State)

Date Order with signature of Judges

For hearing of bail application

25.04.2024

Mr. Imtiaz Hussain Shaikh, advocate for the applicant
Ms. Rahat Ahsan, Addl. PG for the State

It is alleged that on arrest from the applicant was secured 08 Kilograms of charas by police party of PS Sachal led by SIP Muhammad Faisal, for that the present case was registered.

The applicant on having been refused post-arrest bail by the learned IV- Additional Sessions Judge/Special Court (CNS) Karachi Central has sought for the same from this Court by way of instant bail application u/s 497 Cr.P.C.

It is contended by learned counsel for the applicant that the applicant is a Journalist working with the daily newspaper "Awami News"; he was taken by the police a day before his actual involvement in the present case and such fact was intimated by his wife to concerned authorities; there is no independent witness to the incident, therefore, he is entitled to be released on bail on point of further inquiry, which is opposed by learned Additional P.G for the State by contending that the applicant is hardened criminal of the area, having a criminal record and offence which he has allegedly committed is affecting the society at large.

Heard arguments and perused the record.

The applicant is named in FIR with specific allegation that on arrest from him has been secured 08 kilograms of charas by police party of PS Sachal. In that situation, it would be premature to say that the applicant being innocent has been involved in this case falsely by the police officials by foisting upon him the charas with positive report. The police officials are as good witnesses as others until and unless some malafide is alleged against them, which obviously is lacking in the present case; they even otherwise could not be disbelieved by this Court at this stage. The application which is moved by the wife of the applicant is alleged to have been managed by the applicant to save him from legal consequences under garb of Journalist. The applicant is having a criminal record. The minimum sentence prescribed for the alleged offence by way of Amendment in CNS law introduced recently is fourteen years. There appear reasonable grounds to believe that the applicant is guilty of the offence, with which he is charged; thus, no case for his release on bail on point of further inquiry is made out.

In view of above, the instant bail application is dismissed.

J U D G E