

**IN THE HIGH COURT OF SINDH,  
CIRCUIT COURT, HYDERABAD**

**Cr. Bail Application No. S-796 of 2024**

Zulfiqar & Another.....Applicants

Versus

The State.....Respondent

Nadir Ali Brohi, advocate for applicants  
Irfan Ali Talpur, Assistant P.G Sindh

Date of Hearing : 13.11.2024

**ORDER**

**YOUSUF ALI SAYEED, J** - Following the dismissal of their earlier bail application by the learned Additional Sessions Judge Matli the Applicants have approached this Court under section 497 Cr.P.C seeking post-arrest bail in respect of FIR No.203 of 2024, registered against them at Police Station Matli on 07.09.2024 under Section 8 of Sindh Prohibition of Preparation, Manufacturing, Storage, Sale and Use of Gutka and Manpuri Act 2019.

2. Succinctly stated, the allegation set out in the FIR is that the applicants is that they were plying a truck bearing No.KAL-167 on 06.09.2024, when they were stopped at 2100 hours by the police at the Barran Check Post during snap checking, and while nothing incriminating was recovered from their personal search, 2000 ghutka sachets as well as 6000 kg of betel nuts said to be intended for use in the preparation of manpuri were recovered from sacks in the rear of the truck.
3. Learned counsel for the Applicants and the learned APG were heard and the record perused, with the following points coming to the fore:

- (a) That the alleged offence does not fall within the prohibitory clause of Section 497(1) Cr.P.C.
  - (b) That no private witnesses were associated in the matter albeit the arrest shown to have taken place on a busy road at a time when passers-by would in all probability have been available.
  - (c) That the Applicants otherwise have no criminal record.
  - (d) The investigation has been completed with the Applicants not being required further for that purpose or there being any prospect of tampering/interference by them, with no flight risk concerns being raised either.
4. It is in view of those factors that the Application was allowed vide a short Order made in Court upon culmination of the hearing on 13.11.2024 with the Applicants being granted post-arrest bail subject to furnishing solvent surety in the sum of Rs.100,000/- each and execution of P.R Bond in the like amount to the satisfaction of Trial Court.

JUDGE