

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

Criminal Bail Application No.S-952 of 2024

Applicant : Qurban Ali (in custody).
Respondent : The State through Mr. Irfan Ali Talpur A.P.G. Sindh.
Date of hearing : 28.11.2024.
Date of Order : 28.11.2024.

ORDER.

Amjad Ali Sahito, J:- Through instant bail application, the applicant/accused namely, Qurban Ali seeks post-arrest bail in Crime No.71/2024, registered at Police Station Jhol, District Sanghar, for the offence under section 9-(1) 3 C CNS Act, 1997. Earlier the bail plea of the applicant/accused was declined by the learned Special Judge for CNS Cases, Sanghar vide order dated 22.08.2024.

2. The details of the FIR are included in the bail application and its attached copy, so there is no need to restate them here.

3. Notice to learned Assistant Prosecutor General, Sindh was issued on 03.09.2024 for 26.09.2024. On that date, none was present for the applicant. No intimation was received. Today is the same position also. As such, I have no option except to decide instant bail application on the basis of material available on record with the assistance of learned A.P.G. Sindh, who states that 1050 grams of charas has been recovered from the possession of applicant. The offence with which the applicant is charged, is minimum punishable by nine years while maximum punishment is fourteen years, which does not fall within the prohibitory clause of section 497 (1) Cr.P.C. Consequently, instant criminal bail application is **dismissed**.

4. Needless to mention here that the observations made hereinabove are tentative in nature and would not influence the learned trial Court while deciding the case of the applicant on merits.

JUDGE