

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI.

Cr. Bail Appl No. 1246 of 2024
(Azam vs. The State)

Cr. Bail Appl No. 1374 of 2024
(Sarwar vs. The State)

For hearing of Bail Application

25.06.2024

Mr. Shoaib Hassan, Advocate for applicant in Cr. B.A. No.1246/2024
M/s. Irfan Aziz and Aamir Tabbsum, Advocate for applicant in Cr. B.A.
no.1374/2024
Mr. Zahoor Ahmed Shah, Addl: PG

ORDER

MUHAMMAD IQBAL KALHORO J: On spy information about preparation of Mawa Gutka injurious to health and causing cancer in the mouth of people using the same in a street near Jameel Plaza, police headed by Sub-Inspector Ghulam Qadir raided the premises and arrested the applicants along with huge quantity viz. 200 kilograms and 80 kilograms gutka-mawa, puria / sachets 755, choona/white powder 32 kilograms, 96 kilograms dangerous for health Tobbacco, packing roll wrapper 15 bundle, 72 kilograms chemical powder, 19 empty drums, other chemical 42 kilograms and 100 puria Gutka Masla. Two persons present there, however, seeing the police made their escape good. The property was impounded after preparation of necessary papers and was brought at Police Station, where the FIR was registered.

2. Learned counsel for the applicants submits that applicants are innocent and have been falsely implicated in this case and this business was being run by the police, not by the applicants.

3. on the other hand, learned Addl: PG Sindh has opposed bail.

4. I have heard learned counsel for the parties and perused the material available on record. There is nothing on the record to show that applicants have got any enmity with the police to falsely implicate them in the case of recovery of huge quantity of Mawa Gutkaas, as detailed above. There is *prima facie* evidence against the applicants in the shape of recovery and 161 Cr.PC statements of the witnesses. The case is fresh one. In view thereof, these bail applications are dismissed. However, the trial Court is directed to examine the material witnesses within two months after which, applicants would be at liberty to file application for the same relief before the trial Court, which if filed, shall however be decided on its own merits.

5. Needless to mention that the observations made herein above are tentative in nature and would not prejudice case of either party at trial. The bail applications are disposed of in the above terms.

Office to place a copy of this order in connected bail application.

J U D G E

Rafiq/P.A.