

ORDER SHEET  
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

Criminal Miscellaneous Application No.D-15 of 2021

DATE	ORDER WITH SIGNATURE OF JUDGE(S)
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30.11.2022

Agha Abdul Nabi, Special Prosecutor ANF.

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Allegedly from the house of respondent 496 KGs of charas and opium were recovered on spy information. Respondent was not present in the house nor anything was alleged against him. On the basis of such recovery, however, FIR was registered but without naming respondent as accused. Even after investigation, in the Challan the respondent was not made as accused and the Challan was accepted. However, subsequently, after 03 months, Supplementary Challan was submitted in which applicant was arraigned in the case. Respondent after such development applied for pre-arrest bail and was given such relief vide order dated 27.07.2021, which has been impugned, but since prosecution has not been able to even conclude the trial although respondent and co-accused, whose bail has been confirmed by the Honourable Supreme Court, are regularly attending the court.

We have seen the reasons given by the trial court in the impugned order confirming the bail and are satisfied that no ground for interference for cancellation of respondent's bail u/s 497(5) CrPC has been made out in such circumstances. Accordingly, this application is dismissed.

JUDGE

JUDGE

Ali Haider