

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

Criminal Bail Application No.S-189 of 2025

Applicant: Mst. Mai Sooniee Wife of Dhani Bux through Mr. Shabeer Hussain Memon, Advocate.

Respondent: The State through Mr. Irfan Ali Talpur, D.P.G.

Date of hearing: 25.03.2025  
Date of order: 25.03.2025

## ORDER

**Syed Fiaz ul Hassan Shah, J:** Through instant bail application, above named applicant seeks her admission to post arrest bail in Crime No.28 of 2025 registered under section(s) 9(c) of The Sindh Control of Narcotic Substances Act, 2024, with P.S A-Section Dadu. After the arrest applicant preferred his bail plea before the Court of Additional Sessions Judge-I, Special Judge (Narcotics)/MCTC Dadu, vide Criminal Bail Application No.239 of 2025 (Re-Mst. Mai Soniee Solangi Vs. The State) and same was dismissed vide impugned order dated 18.02.2025; hence, instant bail application has been maintained.

2. Since the facts of prosecution case are already mentioned in F.I.R as well as impugned order passed by the Additional Sessions Judge-I, Special Judge (Narcotics)/MCTC Dadu, therefore, there is no need to reproduce the same.

3. The learned counsel states that applicant has been falsely implicated in the case by the police by foisting recovery of Chars weighing 1020 grams.

4. On the other hand, the learned DPG has strongly opposed bail application and stated that the punishment falls nine to fourteen years, therefore, the applicant is not entitled for concession of post-arrest bail.

5. I have heard the learned counsel for parties and perused the record.

6. It is settled law that for deciding bail application, the lesser punishment can be considered by the Court. In view of the above, the lesser punishment is nine years which

does not falls within the prohibitory clause wherein grant of bail by the Superior Courts is rule and its refusal is an exception. It is not case of the prosecution that applicant if he is released on bail he will temper or destroy the evidence nor prosecution has shown any apprehension that applicant threat the prosecutions' witnesses. In view of the above, the learned counsel for the applicant has made out a case for grant of bail, therefore, the bail application was **allowed**. These are the reasons of short order dated 25.03.2025.

7. Needless to say that any finding given or the observations recorded herein-above, it is only for the purpose of deciding this bail application, which will not affect the merits of case before the Trial Court in any manner and the Trial Court will try the case without being influenced from any observation.

**J U D G E**

Muhammad Danish